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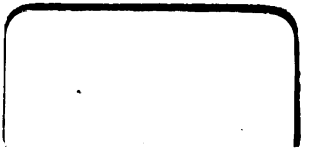

THE

STATUTES

OF

THE UNITED KINGDOM

OF

GREAT BRITAIN AND IRELAND,

24 & 25 VICTORIA, 1861.

WITH TABLES SHOWING THE EFFECT OF THE YEAR'S LEGISLATION, AND A COPIOUS INDEX.

By GEORGE RETTILBY RICKARDS, Esq.,

OF THE INNER TEMPLE,

COUNSEL TO THE SPEAKER OF THE HOUSE OF COMMONS.

LONDON:

PRINTED BY GEORGE E. EYRE AND WILLIAM SPOTTISWOODE,

PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.

1861.

[Price £1 5s. in Boards.]

57,870

A

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Containing the TITLES of all

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cxxxv. An Act to enable the *North-eastern* Railway Company to construct a Branch Railway between the *North Yorkshire and Cleveland* Railway at *Castleton* and the *Whitby and Pickering* Railway; to make a Deviation in and abandon Part of the last-mentioned Railway; to acquire additional Lands; and for other Purposes. 915

cxxxvi. An Act to authorize the *South Staffordshire* Railway Company to raise additional Capital; and for other Purposes. 916

cxxxvii. An Act for more effectually supplying Water to several Towns and Places in *Essex* by a Company to be called "*South Essex* Waterworks Company." *Ibid.*

cxxxviii. An Act for making a Railway from the *Londonderry and Enniskillen* Railway in the County of *Tyrone* to the Town of *Bundoran* in the County of *Donegal;* and for other Purposes. 917

cxxxix. An Act to enable the *Midland* Railway Company to make Railways from the *Leeds* and *Bradford* Line of their Railway to *Otley* and *Ilkley* in the West Riding of the County of *York;* and for other Purposes. 918

cxl. An Act to provide for the future Election of Commissioners, to confirm certain Acts of the present Commissioners, and to consolidate in One Act the various Provisions for the Management and Regulation of the Port and Harbour of *New Ross* in the Counties of *Wexford* and *Kilkenny.* 919

cxli. An Act to enable the *North-eastern* Railway Company to construct Branch Railways between *Arthington, Otley,* and *Ilkley;* and for other Purposes. 920

cxlii. An Act to authorize the Construction of a Railway from the *Great Southern and Western* Railway near *Parsonstown* to *Portumna Bridge* on the River *Shannon;* and for other Purposes. 921

cxliii. An Act for incorporating the *West Cheshire* Railway Company, and for authorizing them to make and maintain Railways from *Northwich* to *Helsby;* and for other Purposes. 922

cxliv. An Act for reviving the Powers of the *Rhymney* Railway Company with respect to their *Bargoed Rhymney* Branch Railway, and for authorizing them to raise further Monies; and for other Purposes. 923

xli. An Act for better lighting with Gas the Borough of *Swansea* and the Neighbourhood thereof. *Page* 753

xlii. An Act for enabling the Mayor, Aldermen, and Burgesses of the Borough of *Liverpool* to make new and widen existing Streets within the Borough; and for other Purposes. 755

xliii. An Act to amend and extend the Acts relating to the *Newcastle-under-Lyme Marsh* Lands; to incorporate the Trustees under the said Acts; and for other Purposes. *Ibid.*

xliv. An Act for making a Railway from the *London and North-western* Railway at *Nantwich* in the County of *Chester* to *Market Drayton* in the County of *Salop*. 758

xlv. An Act for better supplying with Water the Borough of *Neath* and the adjacent District in the County of *Glamorgan*. 759

xlvi. An Act for authorizing the *Dartmouth and Torbay* Railway Company to raise further Monies; and for other Purposes. *Ibid.*

xlvii. An Act to incorporate the *Northampton* Waterworks Company; to enable them to better supply the Town of *Northampton* and the several Townships and Places adjacent thereto with Water; and for other Purposes. 760

xlviii. An Act for the better Drainage and Improvement of certain Low Lands and Grounds, formerly Common, within the Manors of *Baschurch*, *Hordley*, *Stanwardine-in-the-Wood*, *Weston Lullingfield*, and *Stanwardine-in-the-Fields*, and of certain other Lands adjoining or near thereto, all situate in the County of *Salop*. 761

xlix. An Act to authorize the Mayor, Aldermen, and Burgesses of *Kilkenny* to make a General Market in the City of *Kilkenny*; and for other Purposes. 766

l. An Act to enable the *Lancashire and Yorkshire* Railway Company to construct Branch Railways to *Dewsbury*, *Heckmondwike*, and *Meltham*; to purchase additional Lands at *Rochdale* and *Miles Platting*; and for other Purposes. 768

li. An Act for making a Railway from the *Taff Vale* Railway in the Parish of *Lantwit Vardre* in the County of *Glamorgan* to *Llantrissant* in the same County, with Branches therefrom, to be called "The *Llantrissant and Taff Vale Junction* Railway;" and for other Purposes. *Ibid.*

lii. An Act to abolish and dismarket *Newgate Market* in the City of *London*, and to facilitate the Removal of Shambles and Slaughter-houses and other Nuisances and Obstructions in the Vicinity of the said Market, and to authorize the Erection of Dwelling Houses or Shops or other Buildings on the Site thereof; and for other Purposes. 770

liii. An Act to incorporate a Company for supplying Gas to *Uxbridge* and certain Places in the Neighbourhood of the same. 774

liv. An Act for enabling the *West Cornwall* Railway Company to create Debenture Stock; and for other Purposes. 775

lv. An Act for better supplying with Water *Sandown*, *Lake*, *Shanklin*, *Brading*, *Newchurch*, *Ryde*, and other Places in the Parishes of *Brading*, *Shanklin*, and *Newchurch*, and the several Parishes and Places adjacent thereto, in the *Isle of Wight* and County of *Southampton*; and for other Purposes. *Page* 776

lvi. An Act for dissolving and re-incorporating the *Huddersfield* Registered Gaslight Company, and for conferring upon them further Powers for the Supply of Gas to the Borough of *Huddersfield*, and certain neighbouring Townships and Places. *Ibid.*

lvii. An Act to enable the *Midland* Railway Company to make new Railways; and for other Purposes. 780

lviii. An Act to enable the *Ryde* Commissioners to better supply with Water the Town of *Ryde* and the Places adjacent thereto, in the *Isle of Wight*; and for other Purposes. 784

lix. An Act for maintaining certain Roads and Bridges in the County of the Borough and Town of *Berwick-upon-Tweed* and Counties of *Northumberland* and *Berwick*, and for the Liquidation of the Debt due on the Security of the Tolls taken on the said Roads and Bridges. 788

lx. An Act to authorize the *Leeds*, *Bradford*, *and Halifax Junction* Railway Company to construct a Branch Railway to join the *Birstal* Branch of the *London and North-western* Railway at *Batley* in the West Riding of the County of *York*; and for other Purposes. *Ibid.*

lxi. An Act for incorporating the *Universal* Private Telegraph Company, and to enable the said Company to work certain Letters Patent. 789

lxii. An Act to enable the *Whitehaven*, *Cleator*, *and Egremont* Railway Company to extend their Railway from *Frizington* to *Lamplugh* in the County of *Cumberland*; to widen and enlarge their present Railway and Works; to raise further Capital; and for other Purposes. 791

lxiii. An Act for authorizing the *Stockton and Darlington* Railway Company to make and maintain a new Branch Railway, and to abandon the making of one of their authorized Branch Railways; and for other Purposes. 792

lxiv. An Act to authorize the entire Abandonment of the *Bangor* Branch of the *Belfast and County Down* Railway. *Ibid.*

lxv. An Act to enable the *Mid-Wales* Railway Company to make a Deviation in their authorized Railway; and for other Purposes. 793

lxvi. An Act for the Enlargement and Regulation of the *Manchester London Road* Station, and for other Purposes. 796

lxvii. An Act to enable the *Great Northern and Western* (*of Ireland*) Railway Company to extend their Railway to *Westport*; and for other Purposes. 801

lxviii. An Act for supplying with Gas the Township of *Elland-cum-Greetland* and adjacent Places in the Parish of *Halifax* in the West Riding of the County of *York*, and for other Purposes. 802

lxix. An Act to enable the *Portadown, Dungannon, and Omagh Junction* Railway Company to make a Branch Railway to *Aughnacloy* in the County of *Tyrone*; to amend the Acts relating to the Railway; and for other Purposes. *Page* 804

lxx. An Act to vest in the *Great Northern* Railway Company the *Hertford, Luton, and Dunstable* Railway, and for other Purposes relating to the same Company. 805

lxxi. An Act to authorize the Construction of Bridges over Highways and Arches under a Turnpike Road and Highways in the Parishes of *Wolstanton* and *Audley* in the County of *Stafford*, and for other Purposes. 809

lxxii. An Act to authorize the making of a Railway from the *Stockton and Darlington* Railway at or near the *Frosterly* Station to *Newlandside* near *Stanhope*, with a Road Approach from *Stanhope*, all in the County of *Durham*; and for authorizing Working Arrangements with the *Stockton and Darlington* Railway Company; and for other Purposes. *Ibid.*

lxxiii. An Act for making a Railway from *Uxbridge* in the County of *Middlesex* to *Rickmansworth* in the County of *Hertford*, with a Branch to *Scott's Bridge Mill*, to be called "The *Uxbridge and Rickmansworth* Railway," and for other Purposes. 810

lxxiv. An Act for enabling the Company of Proprietors of the *Birmingham* Canal Navigations to raise further Money; and for other Purposes. 811

lxxv. An Act for the *Manchester and Wilmslow* Turnpike Roads in the Counties Palatine of *Lancaster* and *Chester*. 816

lxxvi. An Act for making and maintaining of the *Henley-in-Arden* Railway, and for other Purposes. *Ibid.*

lxxvii. An Act to enable the Local Board of Health for the Township of *Darlington* to supply Gas and Water in the adjoining Townships of *Cockerton, Blackwell, Whessoe*, and *Haughton-le-Skerne*; to enlarge Market Place, erect a covered Market, make and improve Roads; to vest in the Local Board all the Powers of the Burial Board; to raise additional Money; to levy and alter Tolls and Rates; and amend Acts relating to the Local Board; and for other Purposes. 817

lxxviii. An Act to make further Provision for the Draining, Warping, and Improvement of *Thorne Moor* in the West Riding of *Yorkshire*. 821

lxxix. An Act for authorizing the Dock Company at *Kingston-upon-Hull* to make and maintain an additional Dock at *Kingston-upon-Hull* (to be called the Western Dock), and a Railway to connect the same with the *Hull and Selby* Railway; to alter a Part of the Line of the *Hull and Selby* Railway, and to construct other Works at *Kingston-upon-Hull*; for amending the Acts relating to the Company; for granting more effectual Powers for the Regulation and Management of their Docks; and for other Purposes. 822

clxxxix. An Act for making Railways from *Much Wenlock* to the *Shrewsbury and Hereford* Railway, and a Railway from the *Much Wenlock and Severn Junction* Railway into *Coalbrookdale*, with Branches and Works connected therewith; to authorize certain Arrangements with and confer certain Powers upon other Companies; and for other Purposes. *Page* 1003

cxc. An Act for making a Railway to improve the Communication between *Salisbury* and the Southern Part of the County of *Dorset*, and for other Purposes. 1004

cxci. An Act for conferring further Powers on the *South-eastern* Railway Company with respect to Steam Vessels; and for enabling that Company to make Byelaws for regulating the *London and Greenwich* Railway; and for amending some of the Acts relating to the *South-eastern* Railway Company with respect to the Accounts to be kept by them; and for other Purposes. *Ibid.*

cxcii. An Act to enable the *Vale of Clwyd* Railway Company to raise additional Capital. 1007

cxciii. An Act to enable the *Ware, Hadham, and Buntingford* Railway Company to make a Deviation in the authorized Line of their Railway; and for other Purposes. 1008

cxciv. An Act to authorize the Construction of a Railway from *Holme* to *Ramsey* in the County of *Huntingdon*. 1009

cxcv. An Act for making a Railway from the *Stirling and Dunfermline* Railway to the Town of *Alva*. 1010

cxcvi. An Act to empower the *North London* Railway Company to construct a Railway from *Liverpool Street* in the City of *London* to join their existing Railway at *Kingsland*; and for other Purposes. *Ibid.*

cxcvii. An Act for enabling the *Coleford, Monmouth, Usk, and Pontypool* Railway Company to lease their Undertaking to the *West Midland* Railway Company; and for other Purposes. 1012

cxcviii. An Act for making a Railway from the *Glasgow, Dumbarton, and Helensburgh* Railway to *Milngavie*, and for other Purposes. 1013

cxcix. An Act for making a Railway from *Lynn* to *Hunstanton*, all in the County of *Norfolk*. *Ibid.*

cc. An Act to confer on the *Devon Valley* Railway Company further Powers for the Completion of their Railway; and for other Purposes. 1014

cci. An Act to authorize the Amalgamation of the *Symington, Biggar, and Broughton* Railway Company with the *Caledonian* Railway Company; and for other Purposes. 1015

ccii. An Act to enable the *Caledonian* Railway Company to make a Branch Railway from *Rutherglen* to *Coatbridge*, with a Branch to *Whifflat*; and for other Purposes. 1016

cciii. An Act for making a Railway from *Cockermouth* to *Keswick* and *Penrith*, with a Branch thereout, all in the County of *Cumberland*; and for other Purposes. 1017

cciv. An Act for enabling the *Great Western* Railway Company to make and maintain a Railway from *Lightmoor* to *Coalbrookdale*; and for other Purposes. 1018

xcii. An Act to empower *Bonelli's* Electric Telegraph Company (Limited) to acquire and work Letters Patent relating to Electric Telegraphs; and for other Purposes. *Page* 848

xciii. An Act for authorizing the *Charing Cross* Railway to make a Line of Railway from their authorized Line into the City of *London*, with an additional Line in *Southwark*, and to raise further Monies; and for other Purposes. 849

xciv. An Act to extend the Limits of the *Dewsbury and Batley* Gas Company to Part of the Township of *Thornhill*; to authorize the said Company to raise more Money; to amend their Act; and for other Purposes. 851

xcv. An Act for the Incorporation of the *Burton-upon-Trent* Waterworks Company, and for authorizing them to supply with Water the Town of *Burton-upon-Trent* and the Township of *Barton-under-Needwood* and the Neighbourhoods thereof; and for other Purposes. 852

xcvi. An Act to enable the *Dunblane, Doune, and Callander* Railway Company to create Preference Shares; and for other Purposes. 853

xcvii. An Act for incorporating the *Whitworth Vale* Gas Company (Limited), and extending their Powers, and for other Purposes. *Ibid.*

xcviii. An Act to enable the *Blyth and Tyne* Railway Company to make a Railway from their Main Line of Railway to *Newcastle-upon-Tyne* and certain Branch Railways in the County of *Northumberland*; to grant further Powers to the Company; to amend the Acts relating to the Company; and for other Purposes. 854

xcix. An Act to enable the *Limerick and Foynes* Railway Company to raise further Sums. 856

c. An Act for paving, draining, cleansing, lighting, and otherwise improving the District comprised within the Boundaries of the Township of *Middleton* in the Parish of *Middleton*, and the Township of *Tonge* in the Parish of *Prestwich-cum-Oldham*, both in the County of *Lancaster*; and for other Purposes. *Ibid.*

ci. An Act to enable the *Lancashire and Yorkshire* Railway Company to make a Railway between *Salford* and the *Victoria* Station at *Manchester*; and for other Purposes relating to the same Company. 859

cii. An Act for making a Railway from the *Hawick* Line of the *North British* Railway near *Galashiels* to *Peebles*, and for other Purposes. 860

ciii. An Act for making Railways from the *Oswestry and Newtown* Railway near *Montgomery* to *Bishops Castle* and other Places in the County of *Salop*. 861

civ. An Act to enable the Burial Board of the Parish of *Liverpool* to acquire certain Lands at *Walton-on-the-Hill* in *Lancashire*. 862

cv. An Act to enable the *Kingstown* Waterworks Company to abandon a Portion of their authorized Works, and to construct and maintain other Works; and for other Purposes. *Ibid.*

cvi. An Act for enabling the *Midland* Railway Company to construct Works and to acquire additional Lands in the Counties of *Derby, Lancaster, Nottingham, Warwick,* and *Gloucester,* and the West Riding of the County of *York;* for vesting in them the Undertaking of the *Dursley and Midland Junction* Railway Company; and for other Purposes. *Page* 863

cvii. An Act to authorize the *Cork and Youghal* Railway Company to extend their Railway in *Youghal;* and to amend the Acts relating to the Company. 865

cviii. An Act for incorporating "The *East India* Irrigation and Canal Company;" and for other Purposes connected therewith. 868

cix. An Act for better supplying with Gas the Townships of *Atherton, Bedford, Pennington, Tyldesley-cum-Shackerley, West Leigh,* and other Places in the County of *Lancaster.* 871

cx. An Act for enabling the *London and North-western* Railway Company to construct new Railways from near *Stockport* to *Northenden* Road near *Cheadle,* and from *Chelford* to *Knutsford,* with Branches therefrom respectively; and for other Purposes. *Ibid.*

cxi. An Act for making Railways between the *London and South-western* Railway at *Alton, Alresford,* and the Railway of the *London and South-western* Railway Company near to *Winchester,* and for other Purposes. 873

cxii. An Act for erecting a Suspension Bridge from *Clifton* in the City and County of *Bristol* to the Parish of *Long Ashton* in the County of *Somerset.* *Ibid.*

cxiii. An Act for authorizing the *Cheshire Midland* Railway Company to make a Deviation of their authorized Line of Railway; and for authorizing Working and other Arrangements between them and the *Manchester, Sheffield, and Lincolnshire* Railway Company; and for other Purposes. 875

cxiv. An Act to provide for the leasing of the *Peebles* Railway to the *North British* Railway Company. 878

cxv. An Act for the building of a new Church in the Township of *Shireoaks* in the Parish of *Worksop* in the County of *Nottingham;* and for other Purposes. 880

cxvi. An Act for granting further Powers to the *Weston-super-Mare* Gaslight Company, and for extending their Limits for supplying Gas. 882

cxvii. An Act to incorporate a Company for making a new Bridge from *Lambeth* to *Westminster.* *Ibid.*

cxviii. An Act for transferring from the Grand Jury of the County of *Dublin* to the Commissioners of *Kingstown* the Management of the Roads and Bridges in the said Town, and for better improving the same. 883

cxix. An Act for making and maintaining a Railway from *Wivenhoe* to *Brightlingsea,* both in the County of *Essex,* and for other Purposes. 884

cxx. An Act for making a Railway from the *London, Brighton, and South Coast* Railway in the Parish of *Eastergate* in the County of *Sussex* to *Bognor*; and for other Purposes. *Page* 885

cxxi. An Act to increase the Capital and amend the Powers of the *Portsea Island* Gaslight Company. *Ibid.*

cxxii. An Act for making a Railway from the *Ulster* Railway near *Lisburn* to the *Belfast and Northern Counties* Railway at *Antrim*, to be called "The *Dublin and Antrim Junction* Railway," and for other Purposes. 886

cxxiii. An Act for enabling the *London and North-western* Railway Company to acquire additional Lands in connexion with their *Chester and Holyhead* Railway; for renewing certain Powers as to Steamboats; and for other Purposes. 888

cxxiv. An Act to empower the *Penarth* Harbour, Dock, and Railway Company to raise a further Sum of Money; to make a Road between their Harbour and *Cardiff*; and for other Purposes. 889

cxxv. An Act for authorizing the Abandonment of the *Thames Haven* Dock and the Dissolution of the Company, and for other Purposes. 890

cxxvi. An Act for altering the Constitution of the *Westminster* Improvement Commission; for the compulsory Purchase of Lands and the Completion of the Improvements; for facilitating the Sale, Exchange, and Lease of Lands discharged from Incumbrances; and for winding up the Affairs of the Commission; Borrowing Power; and for other Purposes. *Ibid.*

cxxvii. An Act to enable the *Sittingbourne and Sheerness* Railway Company to raise additional Capital; to alter, amend, and repeal some of the Provisions of the Acts relating to the Company; and for other Purposes. 902

cxxviii. An Act for enabling the *London and North-western* Railway Company to construct Railways from *Edgehill* to near *Bootle*, from *Winwick* to *Golborne*, and from *Aston* to *Ditton*, with a Branch to *Runcorn*; to enlarge their *Lime Street* and *Wapping* Stations at *Liverpool*; and for other Purposes. 904

cxxix. An Act to authorize the Construction of a Railway in *Ireland*, to be called "The *Downpatrick and Newry* Railway." 906

cxxx. An Act for enabling the *London and North-western* Railway Company to construct Railways from *Eccles* through *Tyldesley* to *Wigan*, with a Branch to *Bedford* and *Leigh*; and for other Purposes. 907

cxxxi. An Act to authorize the *Fife and Kinross* Railway Company to raise additional Capital. 908

cxxxii. An Act to empower the *North London* Railway Company to widen a Portion of their Railway; and for other Purposes. *Ibid.*

cxxxiii. An Act to authorize the *Metropolitan* Railway Company to make certain Improvements in their Communication with the *Great Northern* Railway and the *Metropolitan* Meat Market at *Smithfield;* to authorize the Purchase of additional Lands for Purposes connected with that Railway; to authorize Arrangements with the Corporation of *London*, and with certain Railway Companies; for amending the Acts relating to the Company; and for other Purposes. *Page* 909

cxxxiv. An Act for vesting the *Birkenhead* Railway in the *London and North-western* Railway Company and the *Great Western* Railway Company, and for other Purposes. 911

cxxxv. An Act to enable the *North-eastern* Railway Company to construct a Branch Railway between the *North Yorkshire and Cleveland* Railway at *Castleton* and the *Whitby and Pickering* Railway; to make a Deviation in and abandon Part of the last-mentioned Railway; to acquire additional Lands; and for other Purposes. 915

cxxxvi. An Act to authorize the *South Staffordshire* Railway Company to raise additional Capital; and for other Purposes. 916

cxxxvii. An Act for more effectually supplying Water to several Towns and Places in *Essex* by a Company to be called "*South Essex* Waterworks Company." *Ibid.*

cxxxviii. An Act for making a Railway from the *Londonderry and Enniskillen* Railway in the County of *Tyrone* to the Town of *Bundoran* in the County of *Donegal;* and for other Purposes. 917

cxxxix. An Act to enable the *Midland* Railway Company to make Railways from the *Leeds* and *Bradford* Line of their Railway to *Otley* and *Ilkley* in the West Riding of the County of *York;* and for other Purposes. 918

cxl. An Act to provide for the future Election of Commissioners, to confirm certain Acts of the present Commissioners, and to consolidate in One Act the various Provisions for the Management and Regulation of the Port and Harbour of *New Ross* in the Counties of *Wexford* and *Kilkenny.* 919

cxli. An Act to enable the *North-eastern* Railway Company to construct Branch Railways between *Arthington*, *Otley*, and *Ilkley;* and for other Purposes. 920

cxlii. An Act to authorize the Construction of a Railway from the *Great Southern and Western* Railway near *Parsonstown* to *Portumna Bridge* on the River *Shannon;* and for other Purposes. 921

cxliii. An Act for incorporating the *West Cheshire* Railway Company, and for authorizing them to make and maintain Railways from *Northwich* to *Helsby;* and for other Purposes. 922

cxliv. An Act for reviving the Powers of the *Rhymney* Railway Company with respect to their *Bargoed Rhymney* Branch Railway, and for authorizing them to raise further Monies; and for other Purposes. 923

cxlv. An Act to incorporate the City of *Glasgow* Life Assurance Company, and for other Purposes. *Page* 924

cxlvi. An Act to enable the *Staffordshire Potteries* Waterworks Company to extend their Works, and to raise additional Capital; and to amend the Act relating to the said Company. 926

cxlvii. An Act to enable the *Great Southern and Western* Railway Company to make a Railway from *Roscrea* in the County of *Tipperary* to *Birdhill* in the same County; and for other Purposes. 931

cxlviii. An Act to enable the *Great Southern and Western* Railway Company to raise further Sums; and to amend the Provisions of the Acts of that Company with respect to the Transfer of Stock; and to enable them to acquire certain Shares in the Undertaking of the *Limerick and Castle Connell* Railway Company, now held by the *Midland Great Western* Railway of *Ireland* Company, and to purchase additional Lands; and for other Purposes. *Ibid.*

cxlix. An Act for the better Drainage of the *Greetwell* District in the County of *Lincoln.* 932

cl. An Act to enable the *Manchester and Milford* Railway Company to construct a Branch Railway from the *Devil's Bridge* to *Aberystwith;* and for other Purposes. 933

cli. An Act for extending the Limits within which the *Grand Junction* Waterworks Company may supply Water, and for other Purposes. 934

clii. An Act to confer additional Powers upon the *Wolverhampton* New Waterworks Company; and for other Purposes. *Ibid.*

cliii. An Act to enable the *Great North of Scotland* Railway Company to enlarge their Stations at *Kittybrewster* and at *Aberdeen,* and to alter the Line and Levels of their Dock Branch. 935

cliv. An Act for incorporating the *Fylde* Waterworks Company; and for authorizing them to make and maintain Waterworks, and to supply Water at *Kirkham, Lytham, Blackpool, Fleetwood, Poulton, Rossall, Garstang, Southshore,* and *Bispham* in the County Palatine of *Lancaster,* and to Shipping at *Fleetwood* and *Lytham.* 936

clv. An Act to make better Provision for supplying with Water the Town and Township of *Blackburn,* and the Townships of *Lower Darwen, Livesey, Witton, Oswaldtwistle,* and *Little Harwood;* and for other Purposes. 937

clvi. An Act to authorize the Construction in *Lincolnshire* of a Railway from the River *Trent* across the River *Ancholme* to the *Manchester, Sheffield, and Lincolnshire* Railway. 939

clvii. An Act for enabling the *Stockton and Darlington* Railway Company to raise additional Capital; and for other Purposes. 940

clviii. An Act for the Amalgamation of the *Leven* and *East of Fife* Railway Companies. 943

clix. An Act to enable the *Leven* and *East of Fife* Railway Companies to extend the *East of Fife* Railway to *Anstruther*. *Page* 945

clx. An Act for the draining of Lands in *Airedale*, adjoining and near to the River *Aire*, in the West Riding of the County of *York*; and for other Purposes. *Ibid.*

clxi. An Act to enable the *Londonderry and Lough Swilly* Railway Company to extend their Railway to *Buncrana* in the County of *Donegal*. 947

clxii. An Act to authorize the *Swansea Vale* Railway Company to make certain new Railways; and for other Purposes. 948

clxiii. An Act to enable the *Dumfries, Lochmaben, and Lockerby Junction* Railway Company to divert their authorized Line of Railway; and for other Purposes. 949

clxiv. An Act for making a Railway from the *Great Western* Railway to *Hammersmith*, to be called "The *Hammersmith and City* Railway," and for other Purposes. 950

clxv. An Act to authorize the Construction of a Railway in the West Riding of *Yorkshire*, to be called "The *Barnsley Coal* Railway." 951

clxvi. An Act for the Enlargement, Regulation, and Management of "The *Citadel* Station" at *Carlisle*, situate at the Junction of the *Lancaster and Carlisle* and the *Caledonian* Railways, and for other Purposes. *Ibid.*

clxvii. An Act to authorize the Construction of a Railway from the *Berks and Hants Extension* Railway to *Marlborough* in *Wiltshire*. 964

clxviii. An Act for making a Railway from the *Limerick and Foynes* Railway to the Town of *Newcastle* in the County of *Limerick*, to be called "The *Rathkeale and Newcastle Junction* Railway," and for other Purposes. 965

clxix. An Act for the Extension of the *South Yorkshire* Railway across the *Trent* near *Keadby* in *Lincolnshire*, and for granting further Powers to the *South Yorkshire* Railway and River *Dun* Company. 966

clxx. An Act for better supplying with Gas the Borough of *Wigan* and other Places adjacent thereto in the County Palatine of *Lancaster*. 967

clxxi. An Act to grant further Powers to the *Waveney Valley* Railway Company as to their Capital. 969

clxxii. An Act to enable the Lord Mayor, Aldermen, and Burgesses of *Dublin* to construct additional Waterworks; and for other Purposes. 970

clxxiii. An Act for the further Improvement of the Borough of *Bolton*, and for other Purposes. 973

clxxiv. An Act for making a Railway from the *London, Brighton, and South Coast* Railway at *Uckfield* in the County of *Sussex* to *Tunbridge Wells* in the County of *Kent*, and for other Purposes. 974

clxxv. An Act for incorporating the *Stockport, Timperley, and Altrincham* Railway Company, and for authorizing them to make and maintain the *Stockport, Timperley, and Atrincham* Railway; and for other Purposes. 975

clxxvi. An Act for altering and amending the Constitution of the Burgh of *Hawick;* extending the Boundaries thereof; maintaining an efficient System of Police therein; improving the said Burgh; and for other Purposes. *Page* 977

clxxvii. An Act to enable the *Kinross-shire* Railway Company to make certain Branch Railways; and for other Purposes. 979

clxxviii. An Act to authorize the Construction of a Railway from the *Eastern Counties* Railway to *Saffron Walden* in *Essex.* 980

clxxix. An Act for enabling the *Conway and Llanrwst* Railway Company to make a Deviation and Alteration of their authorized Line of Railway; and for other Purposes. 981

clxxx. An Act to grant further Powers to the *East Suffolk* Railway Company; to authorize certain Arrangements with respect to their Share Capital; and to amend the Acts relating to the Company. *Ibid.*

clxxxi. An Act for making Railways from *Aberystwith* to various Places in the Counties of *Cardigan, Montgomery, Merioneth,* and *Carnarvon,* to be called "The *Aberystwith and Welsh Coast* Railways," and for other Purposes. 983

clxxxii. An Act for making a Railway from *Bishop Stortford* through *Dunmow* to *Braintree,* with a Branch therefrom, and for other Purposes. 984

clxxxiii. An Act to enable the *Cleveland* Railway Company to extend their Railway from *Guisbrough* to the River *Tees,* with Branches connected with that Extension, and to make certain Deviations in the authorized Line of their Railway; to confer certain Powers with reference to other Undertakings; to amend the Act relating to the *Cleveland* Railway; and for other Purposes. 985

clxxxiv. An Act to enable the *Forest of Dean Central* Railway Company to construct further Works; and for other Purposes connected with their Undertaking. 986

clxxxv. An Act to amend the *Hatfield Chase* Warping and Improvement Act, 1854. 987

clxxxvi. An Act for making a Railway from *Forres* to *Birnam* near *Dunkeld,* with a Branch to *Aberfeldy,* to be called "The *Inverness and Perth Junction* Railway;" and for other Purposes. 988

clxxxvii. An Act for making a Railway to be called "The *Ludlow and Clee Hill* Railway," and for other Purposes. 990

clxxxviii. An Act to enable the *Mersey* Docks and Harbour Board to purchase from the Corporation of *Liverpool* the Reversion in Fee of certain Leasehold Lands of the Board at *Birkenhead;* to extend the Period for the Completion of certain Works at *Birkenhead;* and to enable the Board to improve the working of the Docks and the loading and unloading of Vessels. *Ibid.*

clxxxix. An Act for making Railways from *Much Wenlock* to the *Shrewsbury and Hereford* Railway, and a Railway from the *Much Wenlock and Severn Junction* Railway into *Coalbrookdale*, with Branches and Works connected therewith; to authorize certain Arrangements with and confer certain Powers upon other Companies; and for other Purposes. *Page* 1003

cxc. An Act for making a Railway to improve the Communication between *Salisbury* and the Southern Part of the County of *Dorset*, and for other Purposes. 1004

cxci. An Act for conferring further Powers on the *South-eastern* Railway Company with respect to Steam Vessels; and for enabling that Company to make Byelaws for regulating the *London and Greenwich* Railway; and for amending some of the Acts relating to the *South-eastern* Railway Company with respect to the Accounts to be kept by them; and for other Purposes. *Ibid.*

cxcii. An Act to enable the *Vale of Clwyd* Railway Company to raise additional Capital. 1007

cxciii. An Act to enable the *Ware, Hadham, and Buntingford* Railway Company to make a Deviation in the authorized Line of their Railway; and for other Purposes. 1008

cxciv. An Act to authorize the Construction of a Railway from *Holme* to *Ramsey* in the County of *Huntingdon*. 1009

cxcv. An Act for making a Railway from the *Stirling and Dunfermline* Railway to the Town of *Alva*. 1010

cxcvi. An Act to empower the *North London* Railway Company to construct a Railway from *Liverpool Street* in the City of *London* to join their existing Railway at *Kingsland*; and for other Purposes. *Ibid.*

cxcvii. An Act for enabling the *Coleford, Monmouth, Usk, and Pontypool* Railway Company to lease their Undertaking to the *West Midland* Railway Company; and for other Purposes. 1012

cxcviii. An Act for making a Railway from the *Glasgow, Dumbarton, and Helensburgh* Railway to *Milngavie*, and for other Purposes. 1013

cxcix. An Act for making a Railway from *Lynn* to *Hunstanton*, all in the County of *Norfolk*. *Ibid.*

cc. An Act to confer on the *Devon Valley* Railway Company further Powers for the Completion of their Railway; and for other Purposes. 1014

cci. An Act to authorize the Amalgamation of the *Symington, Biggar, and Broughton* Railway Company with the *Caledonian* Railway Company; and for other Purposes. 1015

ccii. An Act to enable the *Caledonian* Railway Company to make a Branch Railway from *Rutherglen* to *Coatbridge*, with a Branch to *Whifflat*; and for other Purposes. 1016

cciii. An Act for making a Railway from *Cockermouth* to *Keswick* and *Penrith*, with a Branch thereout, all in the County of *Cumberland*; and for other Purposes. 1017

cciv. An Act for enabling the *Great Western* Railway Company to make and maintain a Railway from *Lightmoor* to *Coalbrookdale*; and for other Purposes. 1018

ccv. An Act for making a Railway from *Kirkcudbright* to *Castle Douglas*, and for other Purposes. *Page* 1019

ccvi. An Act to amend the *Birmingham* Improvement Act, 1851, and for other Purposes. 1021

ccvii. An Act for making a Railway from the *Cork and Bandon* Railway near the City of *Cork* to the Town of *Macroom* in the County of *Cork*. 1025

ccviii. An Act to empower the *London and North-western* Railway Company to make Railways at *Burton-upon-Trent*; to confer additional Powers upon them with reference to Parts of their Undertaking; and for other Purposes. 1026

ccix. An Act for extending the Periods for the Purchase of Lands and the Execution of Works for the *Somerset Central* Railway Company's authorized Railway from *Glastonbury* to *Bruton*; for authorizing the *Somerset Central* Railway Company to raise further Monies; and for other Purposes. 1029

ccx. An Act to enable the *South Wales Mineral* Railway Company to extend their Railway to the *Briton Ferry* Docks; and for other Purposes. 1030

ccxi. An Act for better supplying with Water the Borough of *Stockport* in the Counties of *Chester* and *Lancaster*, and the several Townships and Places adjacent or near thereto in those Counties; and for other Purposes. 1031

ccxii. An Act for authorizing the Construction of Railways from the *Severn Valley* Railway to the *West Midland* Railway near *Kidderminster*, and the leasing of the *Wellington and Severn Junction* Railway by the *Great Western* and *West Midland* Railway Companies; and for other Purposes. 1032

ccxiii. An Act for making a Railway from the *West Midland* Railway at *Bransford Bridge* in the County of *Worcester* to the *Shrewsbury and Hereford* Railway near *Leominster* in the County of *Hereford*, and for other Purposes. 1033

ccxiv. An Act to enable the *Edinburgh, Perth, and Dundee* Railway Company to make Byelaws for their Piers, Basins, and Works at *Ferry-port-on-Craig* and *Broughty*, and the Ferry between *Ferry-port-on-Craig* and *Broughty*; to vest the *Burntisland and Granton* Ferry in the Company; to construct Siding Accommodations and Works for Supply of Water; to amalgamate the *Kinross-shire* Railway with their Undertaking; and for other Purposes. 1034

ccxv. An Act to repeal and consolidate the several Acts relating to the *Cornwall* Railway Company; to empower them to make a Deviation Railway; to extend the Time for Completion of Parts of their Railway; and for other Purposes. 1035

ccxvi. An Act for granting further Powers to the *Victoria Docks* Gas Company. 1044

ccxvii. An Act for authorizing the *Llanelly* Railway and Dock Company to make and maintain additional Lines of Railway, and to raise further Monies; and for other Purposes. *Ibid.*

ccxviii. An Act for authorizing the *Monmouthshire* Railway and Canal Company to make and maintain new Lines of Railway and Deviations, and to acquire other Railways, and for authorizing them to raise additional Capital; and for other Purposes. *Page* 1050

ccxix. An Act for authorizing a Lease or Sale of the Railway of the *Saint George's* Harbour Company to the *London and North-western* Railway Company; and for reducing and regulating the Capital of the *Saint George's* Harbour Company; and for other Purposes. 1052

ccxx. An Act for making a Railway between the *London and South-western* Railway at or near to that Railway at *Saint Denis* near *Southampton*, and the Military Hospital at *Netley*, and for other Purposes. 1057

ccxxi. An Act for extending the *Stourbridge* Railway to the *Birmingham, Wolverhampton, and Stour Valley* Railway at *Smethwick*, and for making a Branch Railway in connexion with the *Stourbridge* Railway; for authorizing Arrangements with other Companies; and for other Purposes. 1058

ccxxii. An Act to enable the *Swansea* Harbour Trustees to raise a further Sum of Money for the Purposes of their Undertaking. 1059

ccxxiii. An Act for making a Railway from the *Oswestry and Newtown* Railway at *Oswestry* to the *London and North-western* Railway at *Whitchurch* in the County of *Salop*, and for other Purposes. 1061

ccxxiv. An Act to extend and deviate a Portion of the *Petersfield* Railway. 1062

ccxxv. An Act to enable the Society or Partnership called "The *Westminster* Society for Insurance of Lives and Survivorships and for granting Annuities" to make Provision for satisfying the Liabilities and Engagements of the said Society or Partnership; to confirm an Agreement entered into between the said Society or Partnership and the Society or Partnership called "The *Guardian* Fire and Life Assurance Company;" to dissolve the said *Westminster* Society; and to authorize the Distribution among the Members thereof of so much of the Capital of the said *Westminster* Society as shall not be required for the Purpose of satisfying the Liabilities and Engagements thereof. 1063

ccxxvi. An Act to amalgamate the *West of Fife Mineral* Railway Company and the *Charleston* Railway and Harbour Company. 1064

ccxxvii. An Act for authorizing the *Rumney* Railway Company to alter the Line and Levels of their existing Railway, and to make and maintain new Railways in connexion therewith; and for other Purposes. 1065

ccxxviii. An Act to enable the *Caledonian* Railway Company to make a Branch Railway from their *Lesmahagow* Line to *Cot Castle* near *Stonehouse*; to extend the *Southfield* Branch of that Line; to enlarge their Station at *Symington*; and for other Purposes. 1068

ccxxix. An Act to enable the *Caledonian* Railway Company to extend their *Cleland* Branch to *Morningside*, and to make Branch Railways to *Omoa* Iron Works, to *Drumbowie* and to *Lanridge*, all in the County of *Lanark*. *Page* 1069

ccxxx. An Act to enable the *Forth and Clyde Junction* Railway Company to make a Branch Railway to *Dalmonach* Printworks in the County of *Dumbarton*, and to create additional Shares; and for other Purposes. *Ibid.*

ccxxxi. An Act to enable the *Eastern Counties* Railway Company to make new Lines of Railway; and for other Purposes. 1070

ccxxxii. An Act to enable the *Kilkenny Junction* Railway Company to abandon the Portion of their authorized Line between *Abbeyleix* and *Mountrath*, and instead thereof to make new Lines to the *Maryborough* Station and to the *Roscrea* Junction on the *Great Southern and Western* Railway; and for other Purposes. 1079

ccxxxiii. An Act for extending the *Metropolitan* Railway from *Smithfield* to *Finsbury Circus*; to authorize Arrangements with other Companies; to amend the Acts relating to the *Metropolitan* Railway; and for other Purposes. 1080

ccxxxiv. An Act for increasing the Capital of and conferring further Powers on the *West London Extension* Railway Company; and for other Purposes. 1084

ccxxxv. An Act to enable the *Brecon and Merthyr Tydfil Junction* Railway Company to make certain new Lines of Railway; and for other Purposes. 1086

ccxxxvi. An Act for establishing a separate System of Pilotage for the several Ports of *Cardiff*, *Newport*, and *Gloucester*, in the *Bristol Channel*. 1087

ccxxxvii. An Act to increase the Capital of the *Colne Valley and Halstead* Railway Company, and for other Purposes. 1095

ccxxxviii. An Act for providing and constructing Markets, Market Places, and Slaughter-houses, with all necessary Conveniences, within the Parishes of *Saint Mary* and *Saint Bridget* in the City of *Dublin*. 1096

ccxxxix. An Act to authorize a Lease of the *Margate* Railway to the *London, Chatham, and Dover* Railway Company, and for other Purposes. 1097

ccxl. An Act to enable the *London, Chatham, and Dover* Railway Company to make certain Deviations and Junction Lines of Railway; and for other Purposes. 1106

ccxli. An Act to enable the *Margate* Railway Company to extend their Railway to *Ramsgate*; to change their Name; and for other Purposes connected with their Undertaking. 1110

ccxlii. An Act to authorize the Construction in the County of *Glamorgan* of a Railway from the *Vale of Neath* Railway to the *South Wales* Railway at *Swansea*, to be called "The *Swansea and Neath* Railway." 1111

ccxliii. An Act for making a Railway to connect *Chard* and *Taunton* in the County of *Somerset*, and for other Purposes. 1113

ccxliv. An Act to regulate the mutual Facilities to be afforded to Traffic by the *West Hartlepool* Harbour and Railway Company and by the *Stockton and Darlington*, *South Durham and Lancashire Union*, and *Eden Valley* Railway Companies; to give further Powers to the *West Hartlepool* Harbour and Railway Company with reference to the Management of their Docks and Works; and for other Purposes. *Page* 1114

ccxlv. An Act to authorize the Construction of a Railway from the *East Anglian* Railways at *Lynn* to the *Norwich and Spalding* Railway at *Sutton Bridge*, and for other Purposes. 1119

ccxlvi. An Act for making Railways from *Clara* to *Meelick* in the *King's County*, *Ireland*, and for building a Bridge across the *Shannon* at *Meelick*. 1120

ccxlvii. An Act for making a Railway from the *Mold* Branch of the *Chester and Holyhead* Railway at *Mold* to the *Vale of Clwyd* Railway, to be called "The *Mold and Denbigh Junction* Railway;" and for other Purposes. *Ibid.*

ccxlviii. An Act for making a Railway from *Lennoxtown of Campsie* to *Strathblane*, with a Branch to *Lettermill* in the County of *Stirling*, and for other Purposes. 1121

ccxlix. An Act to enable the *West Hartlepool* Harbour and Railway Company to raise further Money; to amend the Acts relating to the Company; and for other Purposes. 1122

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. AN Act to incorporate the Trustees of "The *Atkinson Institution of Glasgow*," acting under the Will of *Thomas Atkinson*, Bookseller and Stationer, of *Glasgow*, deceased, and to enlarge the Powers of such Trustees, the better to enable them to carry out the benevolent Designs of the said Testator. 1127

2. An Act to extend the Powers of Leasing contained in the Will of the Right Honourable *John Savile Lumley Savile* Earl of *Scarbrough* deceased, with respect to certain Estates in the County of *York*, thereby devised, and therein called the *Savile York* Estates; and for other Purposes; and of which the Short Title is "*Savile* Estate (Leasing) Act, 1861." *Ibid.*

3. An Act for authorizing the Application for the Maintenance and Benefit of the Children of Sir *Beresford Burston M'Mahon* Baronet of certain Monies by the Will of Sir *William M'Mahon* Baronet, deceased, directed to be accumulated during the Life of Sir *Beresford Burston M'Mahon*. *Ibid.*

4. An Act to authorize the Most Noble *George Granville William* Duke and Earl of *Sutherland* and *Anne* Duchess of *Sutherland* to disentail the Estate of *Cromarty*, and to grant a new Entail thereof. *Page* 1127
5. An Act to enable the Trustees of the Will of the late Sir *William Fowle Fowle Middleton* to carry into effect certain Contracts affecting his Estates in *London* and *Middlesex*. 1128
6. An Act for the Amendment of an Act of the Parliament of *Ireland* of the Session of the 19th and 20th Years of *George* the Third, incorporating the Trustees of the Hospital founded by *George Simpson* Esquire, and for confirming Leases granted by the Trustees. *Ibid.*
7. An Act for confirming Leases granted by Sir *Richard Godin Simeon* Baronet, deceased, and Sir *John Simeon* Baronet, respectively, of Parts of the *Saint John's* Estate in the Parish of *Saint Helens* in the *Isle of Wight*; and for other Purposes; and of which the Short Title is "Sir *John Simeon's* Leasing Act, 1861." *Ibid.*
8. An Act to simplify certain of the Trusts and Provisions in the Settlements of the *Vane Tempest* Estates, and for other Purposes connected therewith. *Ibid.*
9. An Act to authorize the granting of Building and Repairing Leases of Parts of the Estates devised and bequeathed by the Will of the Right Honourable *George* Earl of *Egremont* deceased, or become subject to the Trusts thereof; and for other Purposes. *Ibid.*
10. An Act for enabling Trustees to raise Money on Mortgage of the *Hemsworth* Estates in the Counties of *Suffolk* and *Norfolk*, and for giving Powers of Sale and Exchange over the same Estates. *Ibid.*

TABLES

SHOWING THE EFFECT OF THE YEAR'S LEGISLATION.

TABLE I.

[IN ORDER OF CAP.]

24 Vict. and 24 & 25 Vict. Cap.	Effect.	Act affected.	Subject of Act affected.
III. s. 1.	Repeals	48 Geo. 3. c. 4.	Bank of England, Regulation.
		56 Geo. 3. c. 97.	Same.
s. 3.	Amends	5 & 6 W. & M. c. 20.	Supply.
		7 Geo. 1. c. 5.	South Sea Company.
s. 4.	Amends	7 & 8 Vict. c. 32.	Bank Charter.
s. 8.	Extends	56 Geo. 3. c. 60.	Unclaimed Dividends.
IX.	Amends and saves	9 Geo. 2. c. 36.	Lands conveyed to Charitable Uses.
		9 Geo. 4. c. 85.	Same.
X. ss. 9, 12, 13, and 24.	Apply	Parts of 17 & 18 Vict. c. 104.	"Merchant Shipping Act, 1854."
s. 11.	Extends	3 & 4 Vict. c. 65.	Admiralty Court Jurisdiction.
s. 30.	Amends	55 Geo. 3. c. 160.	The Navy, Encouragement of.
s. 31.	Repeals	2 Henry 4. c. 11.	"A Remedy for him who is wrongfully pursued in the Court of Admiralty."
XII.	Repeals	53 Geo. 3. c. 113.	Relief of Poor Prisoners.
		5 & 6 Vict. c. 22. s. 8.	Regulation of Queen's Bench and other Prisons.
XIV.	Applies	Savings Banks Acts.	
XVII.	Amends	20 & 21 Vict. c. 73.	Smoke Nuisance Abatement (Scotland).
XVIII.	Amends	8 & 9 Vict. c. 83.	Relief of the Poor (Scotland).

24 Vict. and 24 & 25 Vict. Cap.	Effect.	Act affected.	Subject of Act affected.
XX.	Amends and applies	Customs Acts. Excise Acts.	
XXI.	Applies	Income Tax Acts.	
	Amends	Excise Acts. Stamp Acts.	
s. 2.	Saves	2 & 3 Vict. c. 114. s. 169.	Spirit Duties.
s. 7.	Saves	Acts relating to Licensed Hawkers.	
XXV. s. 12.	Applies	5 & 6 Will. 4. c. 64. s. 4.	Stamps and Assessed Taxes.
XXVI.	Amends	12 & 13 Vict. c. 97.	Dublin Improvement.
XXVII.	Explains	23 & 24 Vict. c. 50.	Edinburgh Annuity Tax.
XXIX.	Amends	5 Geo. 3. c. xx. (Local)	Infirmary for the County of Cork.
XXX.	Amends	15 & 16 Vict. c. 72.	New Zealand.
		20 & 21 Vict. c. 53.	„ „
XXXIII.	Amends and extends	22 & 23 Vict. c. 19.	Public Offices Extension.
XXXIV.	Extends	13 & 14 Vict. c. 31.	Improvement of Landed Property in Ireland.
		23 Vict. c. 19.	„ „ „
XXXV. s. 3.	Amends	23 & 24 Vict. c. 71.	Unclaimed Dividends.
		56 Geo. 3. c. 60.	„ „
s. 4.	Repeals	5 Geo. 4. c. 53. ss. 11 & 12.	Transfer of Stock.
XXXVI.	Amends	20 & 21 Vict. c. 70.	Boundaries of Royal and Parliamentary Burghs in Scotland.
	Applies	3 & 4 Will. 4. c. 76.	Election of Magistrates &c. in Royal Burghs.
		„ „ c. 77.	Election of Magistrates &c. in Burghs not Royal.
XXXVII.	Amends	8 & 9 Vict. c. 83. s. 34.	Relief of the Poor (Scotland).

24 & 25 Vict. Cap.	Effect.	Act affected.	Subject of Act affected.
XL. - -	Amends -	1 & 2 Vict. c. 43. -	Forest of Dean.
s. 22. -	Extends -	10 Geo. 4. c. 50. -	Woods and Forests, Land Revenue, &c.
s. 25. -	Extends -	1 & 2 Vict. c. 42. -	Forest of Dean (confirming Leases).
XLII. - -	Continues*	5 & 6 W. & M. c. 10.	Relief of Creditors, &c. of the City of London.
	Amends -	1 & 2 W. 4. c. 76. -	Coal Duties.
		1 & 2 Vict. c. 101. -	" "
		8 & 9 Vict. c. 101. -	" "
		14 & 15 Vict. c. 146.	" "
	Applies -	" " 20 & 21 Vict. c. lxxxix. (Local) -	" " "Coal Duties (London, &c.) Drawback Act, 1861."
XLIII. -	Amends and applies -	16 & 17 Vict. c. 113.	Common Law Procedure (Ireland).
		19 & 20 Vict. c. 102. -	" "
XLIV. -	Explains and amends	5 & 6 Vict. c. 76. -	Government of New South Wales.
		18 & 19 Vict. c. 54. -	" "
XLV. s. 7. -	Applies -	14 & 15 Vict. c. 49. -	Preliminary Inquiries.
XLVI. -	Amends -	15 Vict. c. 38. - -	Turnpike Trusts.
XLVII. s. 64.	Explains -	22 & 23 Vict. c. 29. -	Tolls on Fishing Vessels.
XLVIII. -	Amends -	23 & 24 Vict. c. 154.	Landlord and Tenant (Ireland).
LI. - -	Amends -	23 & 24 Vict. c. 135.	Metropolitan Police Force.
LII. - -	Amends -	18 & 19 Vict. c. 119.	Passengers Act.
LIV. -	Amends and partly repeals -	23 Geo. 3. c. 52. -	East India Company's Service.
LV. - -	Amends -	9 & 10 Vict. c. 66. -	Relief and Removal of Paupers.
		16 & 17 Vict. c. 97., and other Acts -	

* *i. e.* Until the Fifth Day of July 1872.

24 & 25 Vict. Cap.	Effect.	Act affected.	Subject of Act affected.
LVI.	Amends	20 & 21 Vict. c. 68.	Dublin Revising Barris ters.
LVII.	Continues*	5 & 6 Vict. c. 123.	Lunatic Asylums (Ire land).
LVIII.	Continues†	11 & 12 Vict. c. 32., as amended by 20 & 21 Vict. c. 7.	County Cess (Ireland).
LIX.	Amends	3 & 4 Vict. c. 29. 4 & 5 Vict. c. 32. 16 & 17 Vict. c. 100.	Vaccination.
LX.	Amends	13 & 14 Vict. c. 69.	Elections (Ireland).
LXI.	Amends	21 & 22 Vict. c. 104. 11 & 12 Vict. c. 63.	Local Government. Public Health.
LXII.	Amends	9 Geo. 3. c. 16. 7 & 8 Vict. c. 105. 23 & 24 Vict. c. 53.	Quieting Titles agains the Crown. Same against Duchy Cornwall.
LXIII.	Amends	6 & 7 Will. 4. c. 116.	County Surveyors (Ire land).
LXV.	Continues	4 & 5 Vict. c. 30., as amended by 19 & 20 Vict. c. 61.	Survey of Great Britai
LXVII.	Partly repeals and amends	3 & 4 Will. 4. c. 85. 16 & 17 Vict. c. 95.	Government of Eas Indies.
	Repeals	23 & 24 Vict. c. 87.	Council of Governo General of India.
	Applies	33 Geo. 3. c. 52.	Same.
LXIX.	Applies	1 & 2 Will. 4. c. 43. 8 & 9 Vict. c. 41.	Turnpike Roads (Scot land). Statute Labour Road (Scotland).
LXXI.	Amends	6 & 7 Vict. c. 44. 10 & 11 Vict. c. 32. 12 & 13 Vict. c. 60. 16 & 17 Vict. c. 136.	Public Works (Ireland Improvement of Lan (Ireland). Relief of Distress (Ire land). Grand Juries (Ireland).

* Until August 1, 1865, and to the End of the then next Session of Parliament.
† Until August 1, 1863, and to the End of the then next Session of Parliament.

24 & 25 Vict. Cap.	Effect.	Act affected.	Subject of Act affected.
LXXII.	Amends	14 & 15 Vict. c. 26. 23 & 24 Vict. c. 92.	Herring Fisheries (Scotland).
LXXIII.	Amends	5 & 6 Vict. c. 50. and all other Acts extending or amending the same	Copyright of Design.
LXXIV.	Applies	10 & 11 Vict. c. 37.	Limiting Service in the Army.
	Excludes	1 Vict. c. 29.	Enlistment of Foreigners in the Army.
LXXV.	Amends	5 & 6 Will. 4. c. 76.	Municipal Corporations.
	Explains	9 Geo. 4., Sess. 2. c. 61.	Licensing of Public Houses.
	Extends	22 & 23 Vict. c. 56.	Weights and Measures.
	Saves	17 & 18 Vict. c. 20.	Manchester Stipendiary.
LXXVI.	Amends	8 & 9 Vict. c. 117.	Removal of Irish Poor.
LXXVIII.	Partly repeals	27 Eliz. c. 17. 29 Geo. 2. c. 25. 31 Geo. 2. c. 17.	Borough of Westminster.
	Applies	3 Vict. c. 47.	Metropolitan Police.
LXXIX.	Amends	22 & 23 Vict. c. 66. 23 & 24 Vict. c. 146.	Measures used in Sale of Gas.
LXXXI.	Amends	57 Geo. 3. c. 64.	Public Offices in Scotland.
		3 Geo. 4. c. 62.	General Register House (Edinburgh).
LXXXIV.	Amends	2 & 3 Will. 4. c. 65.	Reform Act (Scotland).
		17 & 18 Vict. c. 91.	Valuation of Lands (Scotland).
LXXXVI.	Partly repeals.	1 Will. 4. c. 69.	Jury Trials (Scotland).
		6 & 7 Will. 4. c. 41.	Commissary Court (Edinburgh).
LXXXVII.	Amends	18 & 19 Vict. c. 122.	Metropolitan Buildings.
LXXXVIII.	Extends	22 & 23 Vict. c. 19.	Public Offices Extension.
LXXXIX.	Amends	4 Geo. 4. c. 71.	Military Forces in East Indies.

24 & 25 Vict. Cap.	Effect.	Act affected.	Subject of Act affected.
XC.	Amends	1 & 2 Vict. c. 55.	Settlement of Debts of City of Edinburgh.
		21 & 22 Vict. c. 83.	Universities (Scotland).
XCI.	Amends	18 & 19 Vict. c. 38.	Excise.
	Applies	6 Geo. 4. c. 81.	Excise Licences.
	Amends	23 & 24 Vict. c. 27.	Refreshment Houses and Wine Licences.
		„ „ c. 107.	
	Explains and amends	„ „ c. 113.	Sale of Beer and Spirits.
		„ „ c. 114.	
	Amends	1 Will. 4. c. 64.	Licences for Sale of Beer.
		4 & 5 Will. 4. c 85.	
		3 & 4 Vict. c. 61.	
	Explains	19 & 20 Vict. c. 82.	Duty on Racehorses.
		16 & 17 Vict. c. 88.	Duty on Horses let to Hire.
		23 & 24 Vict. c. 90.	Licences to deal in Game.
	Amends	20 & 21 Vict. c. 40.	Illicit Distillation (Ireland).
		18 & 19 Vict. c. 62.	Beer Licences (Ireland).
		1 & 2 Will. 4. c. 55.	Excise Duties.
		9 & 10 Vict. c. 90.	
		19 & 20 Vict. c. 34.	
	Applies	The Stamp Acts.	
	Partly repeals.	23 & 24 Vict. c. 111.	Stamps.
		13 & 14 Vict. c. 97.	
	Extends	5 & 6 Vict. c. 80.	Income Tax.
		16 & 17 Vict. c. 34.	
	Amends	6 Geo. 4. c. 32.	Land Tax.
XCII.	Amends	16 & 17 Vict. c. 71.	Succession Duty.
	Extends	22 & 23 Vict. c. 21.	Court of Exchequer Practice.
XCIII.	Extends	9 & 10 Vict. c. 92.	Audit of Public Accounts.
XCV.	Repeals	Acts and Parts of Acts specified in Schedule.	Criminal Law, England and Ireland.
XCVI.	Applies	11 & 12 Vict. c. 43.	Summary Convictions Procedure.
		14 & 15 Vict. c. 93.	Same (Ireland).
XCVII.	Applies	Same Acts.	
XCIX.	Applies	Same Acts.	

24 & 25 Vict. Cap.	Effect.	Act affected.	Subject of Act affected.
C.	Applies	Same Acts.	
		23 & 24 Vict. c. 139.	Gunpowder and Fireworks.
CI.	Repeals	Acts and Parts of Acts specified in Schedule*	Various.
CII.	Amends	23 & 24 Vict. c. 152.	Tramways (Ireland).
CV.	Applies	5 & 6 Vict. c. 27.	Leases of Ecclesiastical Property.
		" " c. 108.	
		21 & 22 Vict. c. 57.	
		23 & 24 Vict. c. 104.	Maynooth College.
CVII.	Amends	43 Geo. 3. c. 54.	Parochial Schools (Scotland).
		1 & 2 Vict. c. 87.	
	Repeals	20 & 21 Vict. c. 59.	
CVIII.	Repeals prospectively†	22 Vict. c. 28.	Naval Medical Supplemental Fund Society.
CIX.	Repeals	Acts and Parts of Acts specified in Schedule	Salmon Fisheries (England and Wales).
CX.	Applies	17 & 18 Vict. c. 104. s. 418.	Merchant Shipping Act.
		11 & 12 Vict. c. 43.	Summary Convictions, Procedure.
CXI.	Amends	20 & 21 Vict. c. 79.	Probate and Administrations (Ireland).
CXII.	Amends and applies	2 & 3 Will. 4. c. 45.	Reform Act (England).
CXIII.	Applies	11 & 12 Vict. c. 43.	Summary Convictions, Procedure.
		17 & 18 Vict. c. 86.	Reformatory Schools.
	Repeals	20 & 21 Vict. c. 48.	Industrial Schools.
		23 & 24 Vict. c. 108.	

* The Schedule contains a great Number of Acts and Parts of Acts, commencing with 31 Geo. 3. c. 32., and ending with 16 & 17 Vict. c. 125. They are stated in the Preamble to be "Acts and Parts of Acts which have ceased to be of force otherwise than by express and specific Repeal," and they are repealed with a view to the Purgation of the Statute Book from obsolete Law.

† That is, so soon as the Purposes of this Act shall have been carried into execution, § 11.

24 & 25 Vict.	Effect.	Act affected.	Subject of Act affected.
Cap. CXV.	Repeals	23 & 24 Vict. c. 123.	Naval Discipline.
CXVII.	Extends	3 & 4 Will. 4. c. 103. 7 & 8 Vict. c. 15. 10 & 11 Vict. c. 29. 13 & 14 Vict. c. 54. 16 & 17 Vict. c. 104. 19 & 20 Vict. c. 83.	Regulation of Labour in Factories.
CXVIII.	Applies*	5 & 6 Will. 4. c. 64.	Stamp Duties.
CXXII.	Continues†	17 & 18 Vict. c. 102., as amended by 21 & 22 Vict. c. 87.	Bribery at Elections.
CXXIII.	Amends	21 & 22 Vict. c. 72.	Landed Estates Court (Ireland).
CXXIV.	Amends	10 Geo. 4. c. 44.	Metropolitan Police.
CXXVI.	Extends	3 Geo. 4. c. 126. 4 Geo. 4. c. 49. Mutiny Acts, Army.‡	Turnpike Roads.
CXXX.	Amends	23 & 24 Vict. c. 139.	Gunpowder and Fire works.
CXXXI.	Continues§	14 & 15 Vict. c. 109., as amended by 17 & 18 Vict. c. 116.	Episcopal and Capitula Estates.
CXXXII.	Applies	8 & 9 Vict. c. 83.	Relief of the Poor (Scotland).
		17 & 18 Vict. c. 86.	Reformation of Youthfi Offenders.
	Repeals	17 & 18 Vict. c. 74. 19 & 20 Vict. c. 28.	Industrial Schools (Scotland).
CXXXIII.	Applies	11 & 12 Vict. c. 43.	Procedure before Justice out of Sessions.

* *viz.*, the Provision in s. 4. with respect to Composition for Stamp Duties, &c.
† Until September 1, 1860, and End of next Session of Parliament.
‡ So far as relates to Exemption from Tolls.
§ Until January 1, 1863, and End of next Session of Parliament.

24 & 25 Vict. Cap.	Effect.	Act affected.	Subject of Act affected.
CXXXIV.	Repeals -	Acts and Parts of Acts specified in Schedule - -	Bankruptcy and Insolvency.
	Applies -	1 & 2 Vict. c. 110. -	Arrest on Mesne Process, &c.
		8 & 9 Vict. c. 113. -	Documentary Evidence.
		„ „ c. 127. -	Small Debts.
		9 & 10 Vict. c. 95. -	County Courts.
		11 & 12 Vict. c. 42.	Procedure before Justices out of Sessions.
		12 & 13 Vict. c. 106.	Bankrupt Law Consolidation.
		17 & 18 Vict. c. 34.	Attendance of Witnesses out of Jurisdiction.
		„ „ c. 83.	Stamp Duties.
		„ „ c. 125.	Common Law Procedure.
		23 & 24 Vict. c. 38. -	Law of Property.

TABLE II.

CHRONOLOGICAL.

[For Details, see TABLE I.]

Act affected.	Subject of Act affected.	How affected.	Act affecting,
2 Hen. 4. c. 11. - -	A Remedy for him who is wrongfully pursued in the Court of Admiralty.	Repealed -	24 & 25 Vict. Cap. X.
27 Eliz. c. 17. - -	Borough of Westminster	Partly repealed.	LXXVIII.
5 & 6 Will. & Mary, c. 10.	Relief of Creditors of City of London.	Continued and amended.	XLII.
5 & 6 Will. & Mary, c. 20.	Supply - - -	Amended -	III.
7 Geo. 1. c. 5. - -	South Sea Company -	Amended -	III.
9 Geo. 2. c. 36. - -	Lands conveyed to Charitable Uses.	Amended -	IX.
29 Geo. 2. c. 25. -	Borough of Westminster	Partly repealed.	LXXVIII.
31 Geo. 2. c. 17. -	Borough of Westminster	Partly repealed.	LXXVIII.
5 Geo. 3. c. xx. (Local)	Infirmary for County of Cork.	Amended -	XXIX.
9 Geo. 3. c. 16. - -	Quieting Titles against the Crown.	Amended -	LXII.
23 Geo. 3. c. 52. -	East India Company's Service.	Amended and partly repealed.	LIV.
33 Geo. 3. c. 52. -	Council of Governor General of India.	Applied -	LXVII.
43 Geo. 3. c. 54. -	Parochial Schools (Scotland).	Amended -	CVII.
48 Geo. 3. c. 4. - -	Bank of England, Regulation.	Repealed -	III.
53 Geo. 3. c. 113. -	Relief of Poor Prisoners	Repealed -	XII.
55 Geo. 3. c. 160. -	Navy, Encouragement of	Amended -	X.
56 Geo. 3. c. 60. -	Unclaimed Dividends -	Extended -	III.
56 Geo. 3. c. 97. -	Bank of England, Regulation.	Repealed -	III.
57 Geo. 3. c. 64. -	Public Offices in Scotland.	Amended -	LXXXI.
3 Geo. 4. c. 62. - -	General Register House, Edinburgh.	Amended -	LXXXI.

Act affected.	Subject of Act affected.	How affected.	Act affecting.
			24 & 25 Vict. Cap.
3 Geo. 4. c. 126. -	Turnpike Roads - -	Extended -	CXXVI.
4 Geo. 4. c. 49. - -	Turnpike Roads - -	Extended -	CXXVI.
4 Geo. 4. c. 71. - -	Military Forces in East Indies.	Amended -	LXXXIX.
6 Geo. 4. c. 32. - -	Land Tax - - -	Amended -	XCI.
6 Geo. 4. c. 81. - -	Excise Licences - -	Applied -	XCI.
9 Geo. 4. c. 85. - -	Lands conveyed to Charitable Uses.	Saved -	IX.
9 Geo. 4. Sess. 2. c. 61.	Licensing of Public Houses.	Explained -	LXXV.
10 Geo. 4. c. 44. -	Metropolitan Police -	Amended -	CXXIV.
10 Geo. 4. c. 50. -	Woods, Forests, Land Revenues, &c.	Extended -	XL.
1 Will. 4. c. 64. - -	Licences for Sale of Beer.	Amended -	XCI.
1 Will. 4. c. 69. - -	Jury Trials (Scotland) -	Partly repealed.	LXXXVI.
1 & 2 Will. 4. c 43. -	Turnpike Roads (Scotland).	Applied -	LXIX.
1 & 2 Will. 4. c. 55. -	Excise Duties - -	Amended -	XCI.
1 & 2 Will. 4. c. 76. -	Coal Duties - -	Continued and amended.	XLII.
2 & 3 Will. 4. c. 45. -	Reform Act (England)-	Amended and applied.	CXII.
2 & 3 Will. 4. c. 65. -	Reform Act (Scotland)-	Amended -	LXXXIV.
3 & 4 Will. 4. c. 85. -	Government of East Indies.	Amended and partly repealed.	LXVII.
3 & 4 Will. 4. c. 103. -	Labour in Factories -	Extended -	CXVII.
5 & 5 Will. 4. c. 85. -	Licences for Sale of Beer.	Amended -	XCI.
5 & 6 Will. 4. c. 64. -	Stamps and Assessed Taxes.	Applied -	XXV. and CXVIII.
5 & 6 Will. 4. c. 76. -	Municipal Corporations	Amended -	LXXV.
6 & 7 Will. 4. c. 41. -	Commissary Court (Edinburgh).	Partly repealed.	LXXXVI.
6 & 7 Will. 4. c. 116. -	County Surveyors (Ireland).	Amended -	LXIII.
1 Vict. c. 29. - -	Enlistment of Foreigners in the Army.	Extended -	LXXIV.
1 & 2 Vict. c. 42. -	Forest of Dean (confirming Leases).	Extended -	XL.
1 & 2 Vict. c. 43. -	Forest of Dean -	Amended -	XL.
1 & 2 Vict. c. 55. -	Settlement of Debts of City of Edinburgh.	Amended -	XC.
1 & 2 Vict. c. 87. -	Parochial Schools (Scotland).	Amended -	CVII.

Act affected.	Subject of Act affected.	How affected.	Act affecting.
			24 & 25 Vict. Cap.
1 & 2 Vict. c. 101. -	Coal Duties - -	Continued and amended.	XLII.
1 & 2 Vict. c. 110. -	Arrest on Mesne Process.	Applied -	CXXXIV.
2 & 3 Vict. c. 114. -	Spirit Duties - -	Saved -	XXI.
3 & 4 Vict. c. 29. -	Vaccination - -	Amended -	LIX.
3 Vict. c. 47. - -	Metropolitan Police -	Applied -	LXXVIII.
3 & 4 Vict. c. 61. -	Licences for Sale of Beer.	Amended -	XCI.
3 & 4 Vict. c. 65. -	Admiralty Court Jurisdiction.	Extended -	X.
4 & 5 Vict. c. 30. -	Survey of Great Britain	Continued -	LXV.
4 & 5 Vict. c. 32. -	Vaccination - -	Amended -	LIX.
5 & 6 Vict. c. 22. -	Regulation of Queen's Bench and other Prisons.	Partly repealed.	XII.
5 & 6 Vict. c. 27. -	Leases of Ecclesiastical Property.	Applied -	CV.
5 & 6 Vict. c. 50. -	Copyright of Design -	Amended -	LXXIII.
5 & 6 Vict. c. 76. -	Government of New South Wales.	Explained and amended.	XLIV.
5 & 6 Vict. c. 80. -	Income Tax - -	Extended -	XCI.
5 & 6 Vict. c. 108. -	Leases of Ecclesiastical Property.	Applied -	CV.
5 & 6 Vict. c. 123. -	Lunatic Asylums (Ireland).	Continued -	LVII.
6 & 7 Vict. c. 44. -	Public Works (Ireland)	Amended -	LXXI.
7 & 8 Vict. c. 15. -	Labour in Factories -	Extended -	CXVII.
7 & 8 Vict. c. 32. -	Bank Charter - -	Amended -	III.
7 & 8 Vict. c. 105. -	Quieting Titles against Duchy of Cornwall.	Amended -	LXII.
8 & 9 Vict. c. 41. -	Statute Labour Roads (Scotland).	Applied -	LXIX.
8 & 9 Vict. c. 83. -	Relief of the Poor (Scotland).	Amended and applied.	XVIII. and CXXXII
8 & 9 Vict. c. 101. -	Coal Duties - -	Continued and amended.	XLII.
8 & 9 Vict. c. 113. -	Documentary Evidence	Applied -	CXXXIV.
8 & 9 Vict. c. 117. -	Removal of Irish Poor -	Amended -	LXXVI.
8 & 9 Vict. c. 127. -	Small Debts - -	Applied -	CXXXIV.
9 & 10 Vict. c. 66. -	Relief and Removal of Paupers.	Amended -	LV.
9 & 10 Vict. c. 90. -	Excise Duties - -	Amended -	XCI.
9 & 10 Vict. c. 92. -	Audit of Public Accounts.	Extended -	XCIII.

Act affected.	Subject of Act affected.	How affected.	Act affecting.
			24 & 25 Vict. Cap.
9 & 10 Vict. c. 95. -	County Courts - -	Applied -	CXXXIV.
10 & 11 Vict. c. 29. -	Labour in Factories -	Extended -	CXVII.
10 & 11 Vict. c. 32. -	Improvement of Land (Ireland) - -	Amended -	LXXI.
10 & 11 Vict. c. 37. -	Limiting Service in the Army.	Applied -	LXXIV.
11 & 12 Vict. c. 32. -	County Cess (Ireland) -	Continued -	LVIII.
11 & 12 Vict. c. 42. -	Procedure before Justices out of Sessions.	Applied -	CXXXIV.
11 & 12 Vict. c. 43. -	Summary Convictions, Procedure.	Applied -	XCVI., XCVII., XCIX., C., CX., CXIV., & CXXXIII.
11 & 12 Vict. c. 63. -	Public Health - -	Amended -	LXI.
12 & 13 Vict. c. 60. -	Relief of Distress (Ireland).	Amended -	LXXI.
12 & 13 Vict. c. 97. -	Dublin Improvement -	Amended -	XXVI.
12 & 13 Vict. c. 106. -	Bankrupt Law Consolidation.	Applied -	CXXXIV.
13 & 14 Vict. c. 31. -	Improvement of Landed Property in Ireland.	Extended -	XXXIV.
13 & 14 Vict. c. 54. -	Labour in Factories -	Extended -	CXVII.
13 & 14 Vict. c. 69. -	Elections (Ireland) -	Amended -	LX.
13 & 14 Vict. c. 97. -	Stamps - -	Extended -	XCI.
14 & 15 Vict. c. 26. -	Herring Fisheries (Scotland).	Amended -	LXXII.
14 & 15 Vict. c. 49. -	Preliminary Inquiries -	Applied -	XLV.
14 & 15 Vict. c. 93. -	Summary Convictions, Procedure (Ireland).	Applied -	XCVI., XCVII., XCIX., and C.
14 & 15 Vict. c. 109. -	Episcopal and Capitular Estates.	Continued -	CXXXI.
14 & 15 Vict. c. 146. -	Coal Duties - -	Continued and amended.	XLII.
15 Vict. c. 38. - -	Turnpike Trusts - -	Amended -	XLVI.
15 & 16 Vict. c. 72. -	New Zealand - -	Amended -	XXX.
16 & 17 Vict. c. 34. -	Income Tax - -	Extended -	XCI.
16 & 17 Vict. c. 71. -	Succession Duty - -	Amended -	XCII.
16 & 17 Vict. c. 88. -	Duty on Horses let to Hire.	Explained -	XCI.
16 & 17 Vict. c. 95. -	Government of East Indies.	Amended and partly repealed.	LXVII.
16 & 17 Vict. c. 97. -	Relief and Removal of Paupers.	Amended -	LV.

Act affected.	Subject of Act affected.	How affected.	Act affecting.
			24 & 25 Vict. Cap.
16 & 17 Vict. c. 100. -	Vaccination - -	Amended -	LIX.
16 & 17 Vict. c. 104. -	Labour in Factories -	Extended -	CXVII.
16 & 17 Vict. c. 113. -	Common Law Procedure (Ireland).	Amended and applied.	XLIII.
16 & 17 Vict. c. 136. -	Grand Juries (Ireland)	Amended -	LXXI.
17 & 18 Vict. c. 20. -	Manchester Stipendiary	Saved -	LXXV.
17 & 18 Vict. c. 34. -	Attendance of Witnesses out of Jurisdiction.	Applied -	CXXXIV.
17 & 18 Vict. c. 74. -	Industrial Schools (Scotland).	Repealed -	CXXXII.
17 & 18 Vict. c. 83. -	Stamp Duties - -	Applied -	CXXXIV.
17 & 18 Vict. c. 86. -	Reformatory Schools -	Applied -	CXIV. and CXXXII.
17 & 18 Vict. c. 91. -	Valuation of Lands (Scotland).	Amended -	LXXXIV.
17 & 18 Vict. c. 102. -	Bribery at Elections -	Continued -	CXXII.
17 & 18 Vict. c. 104. -	Merchant Shipping -	Partly applied.	X. and CX.
17 & 18 Vict. c. 116. -	Episcopal and Capitular Estates.	Continued -	CXXXI.
17 & 18 Vict. c. 125. -	Common Law Procedure	Applied -	CXXXIV.
18 & 19 Vict. c. 38. -	Excise - - -	Amended -	XCI.
18 & 19 Vict. c. 54. -	Government of New South Wales.	Explained and amended.	XLIV.
18 & 19 Vict. c. 62. -	Beer Licences (Ireland)	Amended -	XCI.
18 & 19 Vict. c. 119. -	Passengers Act - -	Amended -	LII.
18 & 19 Vict. c. 122. -	Metropolitan Buildings	Amended -	LXXXVII.
19 & 20 Vict. c. 28. -	Industrial Schools (Scotland).	Repealed -	CXXXII.
19 & 20 Vict. c. 34. -	Excise Duties - -	Amended -	XCI.
19 & 20 Vict. c. 61. -	Survey of Great Britain	Continued -	LXV.
19 & 20 Vict. c. 82. -	Duty on Racehorses -	Explained -	XCI.
19 & 20 Vict. c. 83. -	Labour in Factories -	Extended -	CXVII.
19 & 20 Vict. c. 102. -	Common Law Procedure (Ireland).	Amended and applied.	XLIII.
20 & 21 Vict. c. 7. -	County Cess (Ireland) -	Continued -	LVIII.
20 & 21 Vict. c. 40. -	Illicit Distillation (Ireland).	Amended -	XCI.
20 & 21 Vict. c. 48. -	Industrial Schools -	Repealed -	CXIV.
20 & 21 Vict. c. 53. -	New Zealand - -	Amended -	XXX.
20 & 21 Vict. c. 59. -	Parochial Schools (Scotland).	Repealed -	CVII.
20 & 21 Vict. c. 68. -	Dublin Revising Barristers.	Amended -	LVI.
20 & 21 Vict. c. 73. -	Smoke Nuisance Abatement (Scotland).	Amended -	XVII.

Act affected.	Subject of Act affected.	How affected.	Act affecting.
			24 & 25 Vict. Cap.
20 & 21 Vict. c. 79. -	Probate and Administrations (Ireland).	Amended -	CXI.
20 & 21 Vict. c. lxxxix. (Local.)	Coal Duties (London, &c.) Drawback Act, 1861.	Applied -	XLII.
21 & 22 Vict. c. 57. -	Leases of Ecclesiastical Property.	Applied -	CV.
21 & 22 Vict. c. 72. -	Landed Estates Court (Ireland).	Amended -	CXXIII.
21 & 22 Vict. c. 83. -	Universities (Scotland)	Amended -	XC.
21 & 22 Vict. c. 87. -	Bribery at Elections -	Continued -	CXXII.
21 & 22 Vict. c. 104. -	Local Government -	Amended -	LXI.
22 Vict. c. 28. - -	Naval Medical Supplemental Fund Society.	Prospectively repealed.	CVIII.
22 & 23 Vict. c. 19. -	Public Offices Extension	Extended -	XXXIII. and LXXXVIII
22 & 23 Vict. c. 21. -	Practice of Court of Exchequer.	Extended -	XCII.
22 & 23 Vict. c. 29. -	Tolls on Fishing Vessels	Explained -	XLVII.
22 & 23 Vict. c. 56. -	Weights and Measures -	Extended -	LXXV.
22 & 23 Vict. c. 66. -	Measures used in Sale of Gas.	Amended -	LXXIX.
23 Vict. c. 19. - -	Improvement of Landed Property in Ireland.	Extended -	XXXIV.
23 & 24 Vict. c. 27. -	Refreshment Houses and Wine Licences.	Amended -	XCI.
23 & 24 Vict. c. 38. -	Law of Property - -	Applied -	CXXXIV.
23 & 24 Vict. c. 50. -	Edinburgh Annuity Tax	Explained -	XXVII.
23 & 24 Vict. c. 53. -	Quieting Titles against Duchy of Cornwall.	Amended -	LXII.
23 & 24 Vict. c. 87. -	Council of Governor General of India.	Repealed -	LXVII.
23 & 24 Vict. c. 90. -	Licences to deal in Game	Explained -	XCI.
23 & 24 Vict. c. 92. -	Herring Fisheries (Scotland).	Amended -	LXXII.
23 & 24 Vict. c. 104. -	Maynooth College -	Applied -	CV.
23 & 24 Vict. c. 107. -	Refreshment Houses and Wine Licences.	Amended -	XCI.
23 & 24 Vict. c. 108. -	Industrial Schools -	Repealed -	CXIV.
23 & 24 Vict. c. 111. -	Stamps - - -	Partly repealed.	XCI.
23 & 24 Vict. c. 113. } 23 & 24 Vict. c. 114. }	Sale of Beer and Spirits	Explained and amended.	XCI.
23 & 24 Vict. c. 123. -	Naval Discipline - -	Repealed -	CXVII.
23 & 24 Vict. c. 135. -	Metropolitan Police Force.	Amended -	LI.
23 & 24 Vict. c. 139. -	Gunpowder and Fireworks.	Applied and amended.	C. and CXXX.

Act affected.	Subject of Act affected.	How affected.	Act affecting.
			24 & 25 Vict. Cap.
23 & 24 Vict. c. 146. -	Measures used in Sale of Gas.	Amended -	LXXIX.
23 & 24 Vict. c. 152. -	Tramways (Ireland) -	Amended -	CII.
23 & 24 Vict. c. 154. -	Landlord and Tenant (Ireland).	Amended -	XLVIII.

NOTE.

For the Acts and Parts of Acts repealed which relate to Bankruptcy and Insolvency, to the Criminal Law, to the Salmon Fisheries, and for those which are repealed as being obsolete, *see* the Schedules to Cap. CXXXIV., XCV., CIX., and CI. respectively.

THE

STATUTES AT LARGE.

Anno Regni VICTORIÆ, Britanniarum Reginæ, Vicesimo Quarto.

'AT the Parliament begun and holden at *Westminster*, the Thirty-first Day of *May*, *Anno Domini* 1859, in the Twenty-second Year of the Reign of our Sovereign Lady *Victoria*, by the Grace of God of the United Kingdom of *Great Britain* and *Ireland* Queen, Defender of the Faith: And from thence continued by several Prorogations to the Fifth Day of *February* 1861; being the Third Session of the Eighteenth Parliament of the United Kingdom of *Great Britain* and *Ireland*.'

CAP. I.

An Act to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for *England* and *Wales*. [22d *March* 1861.]

'WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of "The Acts for the Inclosure, Exchange, and Improvement of Land," issued their Provisional Orders for and concerning the proposed Inclosures mentioned in the Schedule to this Act, and have in their Sixteenth Annual General Report certified their Opinion that such Inclosures would be expedient; but the same cannot be proceeded with without the previous Authority of Parliament:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Inclosures may be proceeded with.

1. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with.

Short Title.

2. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use either the Expression "The Annual Inclosure Act, 1861," or "The Acts for the Inclosure, Exchange, and Improvement of Land."

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Brightwalton - - -	Berks - -	7th June 1860.
Amberley Manor - -	Sussex -	17th May 1860.
Cannock - - -	Stafford -	17th May 1860.
Newland Marsh Shore Land	Southampton	17th May 1860.
Crofton Marsh Shore Land	Southampton	17th May 1860.
Hasgill Fell - - -	York - -	24th November 1859.
Bovey Tracey - -	Devon - -	7th June 1860.
Felsted - - - -	Essex - -	17th May 1860.
Arley - - - - -	Warwick -	17th May 1860.
Stoborough Heath - -	Dorset -	7th September 1860.
Bitton (including Hanham Common).	Gloucester -	2d June 1859.
Glassonby - - -	Cumberland	7th September 1860.
Renwick - - -	Cumberland	7th September 1860.
Marlingford Common -	Norfolk -	17th May 1860.
Ribbleton Moor - -	Lancaster -	13th October 1860.
Eldersfield - - -	Worcester -	7th September 1860.
Winterbourne Steepleton	Dorset -	20th December 1860.
Powerstock - - -	Dorset -	20th December 1860.
Batcombe - - -	Dorset -	20th December 1860.
Easton Common Fields -	Southampton	20th December 1860.
Lillingston Dayrell and Passenham.	Bucks and Northampton	3d January 1861.
Carlton in Craven - -	York - -	7th September 1860.
Longdon - - -	Worcester -	6th December 1860.
Brookthrop, Harescombe, Harefield, Whaddon, Quedgley, Tuffleigh, Matson, Upton Saint Leonards, and Hempstead.	Gloucester -	17th May 1860.

CAP. II.

An Act to apply the Sum of Four Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and sixty-one. [22d *March* 1861.]

CAP. III.

An Act to make further Provision respecting certain Payments to and from the Bank of *England*, and to increase the Facilities for the Transfer of Stocks and Annuities, and for other Purposes. [22d *March* 1861.]

'WHEREAS it is expedient that the Rates of Allowance granted to the Governor and Company of the Bank of '*England* for their Charges in the Management of the National

'Debt

'Debt should be altered, and that new Regulations should be 'made for limiting the Balances in the Hands of the said Go- 'vernor and Company of Sums issued for the Payment of Divi- 'dends:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

From 5th April 1861 the Acts 48 G. 3. c. 4. and 56 G. 3. c. 97. repealed.

1. From and after the Fifth Day of *April* One thousand eight hundred and sixty-one there shall be repealed the following Acts; (that is to say,)

(1.) An Act passed in the Forty-eighth Year of the Reign of His late Majesty *George* the Third, intituled *An Act to authorize the advancing for the Public Service upon certain Conditions a Proportion of the Balance remaining in the Bank of* England *for Payment of unclaimed Dividends, Annuities, and Lottery Prizes, and for regulating the Allowances to be paid for the Management of the National Debt:*

(2.) An Act passed in the Fifty-sixth Year of the Reign of His late Majesty *George* the Third, and intituled *An Act to authorize the advancing for the Public Service a Proportion of the Balance that shall remain from Time to Time in the Bank of* England *for the Payment of Dividends on account of the Public Debt for Lottery Prizes or Benefits not claimed, and Principals of Stocks and Annuities remaining unclaimed:*

Provided that such Repeal shall not affect the Payment to the said Governor and Company of all Charges of Management of the existing Capital of the Unredeemed Public Debt for the Year ending the Fifth Day of *April* One thousand eight hundred and sixty-one in the same Manner as if this Act had not passed.

As to future Payment to the Bank for Management of the Public Debt.

2. There shall be paid to the Governor and Company of the Bank of *England* on some Day between the Sixth Day of *April* and the Fifth Day of *July* One thousand eight hundred and sixty-two, out of the Consolidated Fund of the United Kingdom, or the growing Produce thereof, for their Charges in the Management of the Unredeemed Public Debt for the Year ending on the Fifth Day of *April* One thousand eight hundred and sixty-two, and in like Manner on some Day between the Fifth Day of *April* and Fifth Day of *July* in every succeeding Year for the Management of the Debt during the preceding Year ending with the Fifth Day of *April* in each Year until the Fifth Day of *April* One thousand eight hundred and eighty-six, and thenceforth in every and every succeeding Year until Parliament shall otherwise direct, Remuneration at the Rates following; that is to say,

1st. While the whole of such Unredeemed Debt, computed as herein-after mentioned, exceeds Three hundred million Pounds, and does not amount to Four hundred million Pounds, a Sum at the Rate of Four hundred and fifty Pounds *per Annum* for each Million of the Capital:

2d. While the whole of such Unredeemed Debt amounts to Four hundred million Pounds, and does not exceed Six hundred Millions, a Sum at the Rate of Three hundred Pounds *per Annum* for each Million of the Capital:

3d. While the whole of such Unredeemed Debt exceeds Six hundred million Pounds, a Sum at the Rate of Three hundred Pounds *per Annum* for each Million of the Capital up to Six hundred million Pounds, and a Sum at the Rate of One hundred and fifty Pounds *per Annum* for each Million of the Capital in excess thereof:

Provided always, that in estimating the Amount of Unredeemed Debt for the Purposes of this Act Annuities for Terms of Years shall be taken into account, and shall for the Purpose of making a nominal Capital be valued at Fifteen Years Purchase, if originally granted for a Term exceeding Fifty Years, and at Ten Years Purchase if granted for a Term of Fifty Years or under.

Certain Charges for Management to cease after 5th April 1860.

3. After the said Fifth Day of *April* One thousand eight hundred and sixty-one there shall cease to be paid to the Governor and Company the following Sums; that is to say,

(1.) The Sum of Four thousand Pounds, Part of the Annuity of One hundred thousand Pounds payable to the said Governor and Company in pursuance of the Act of the Session of the Fifth and Sixth Years of *William* and *Mary*, Chapter Twenty, and subsequent Acts:

(2.) The annual Sum of One thousand five hundred and seventy-nine Pounds Eight Shillings and Fourpence payable to the said Governor and Company in respect of the Management of the Portion of the Capital Stock purchased of the *South Sea* Company, under the Provisions of an Act passed in the Seventh Year of His Majesty King *George* the First, Chapter Five.

So much of 7 & 8 Vict. c. 32. as requires the Bank to deduct certain Sums from Charges for Management repealed, and other Provisions made.

4. So much of the Act of the Session of the Seventh and Eighth Years of Her present Majesty as requires that the Governor and Company of the Bank of *England* shall deduct certain Sums payable by them from the Sums payable to them for the Charges of Management of the Public Unredeemed Debt is hereby repealed, and it is enacted, that the Sum of Sixty thousand Pounds payable by them under the said Act in consideration of the Exemption from Stamp Duties shall be paid on some Day between the Sixth Day of *April* and the Fifth Day of *July* One thousand eight hundred and sixty-two, and within the like Period in every succeeding Year, to the Commissioners of Inland Revenue, and the whole Allowance out of Profits of Issue, being at this Time One hundred and twenty-eight thousand and seventy-eight Pounds, constituting the Residue of the Monies payable by them under the said Act, shall be paid within the like Period to the Account of the Comptroller of the Exchequer

Exchequer at the Bank of *England*, to be carried to and form Part of the Consolidated Fund of the United Kingdom.

Regulation as to Balances on the Dividend Account at the Bank.

5. Whenever the Balances in the Hands of the Governor and Company of the Bank of *England* of Sums issued for the Payment of Dividends and Terminable Annuities on account of the National Debt due and not demanded are reduced to a less Sum than One hundred thousand Pounds, the said Governor and Company shall certify the Amount of Deficiency to the Commissioners of the Treasury, and the Commissioners shall as often as they may judge expedient direct the Issue out of the Consolidated Fund of a Sum not exceeding the Amount required to raise the said Balances to the Sum of One hundred thousand Pounds, and within Thirty Days after the Expiration of every Quarter an Account shall be taken of the lowest Amount of the Balances in the Hands of the said Governor and Company on the same Account; and it shall be lawful for the Commissioners of the Treasury, if they think fit, to require the said Governor and Company of the Bank of *England* to repay to the Account of the Comptroller of the Exchequer opened in the Books of the said Bank any Sum by which the said Balances may exceed One hundred thousand Pounds.

Commissioners to transmit Amount of Unredeemed Debt on 5th April 1861.

6. The Commissioners for the Reduction of the National Debt shall transmit to the Commissioners of the Treasury, as soon after the Fifth Day of *April* One thousand eight hundred and sixty-one as conveniently may be, a Statement of the total Capital of the Unredeemed Debt as it stands on the said Fifth Day of *April* One thousand eight hundred and sixty-one; and the Allowance for the Management of the Unredeemed Public Debt for the Year ending the Fifth Day of *April* One thousand eight hundred and sixty-two shall be computed on the said Capital, and shall be paid to the said Governor and Company out of the Consolidated Fund, or the growing Produce thereof, in One Sum, before the Fifth Day of *July* One thousand eight hundred and sixty-two, and the Allowance for Management shall be computed and paid in like Manner in every succeeding Year.

Allowance for Management to be computed on such Amount.

Increase of Facilities for the Transfer of Stocks and Annuities.

7. 'And whereas the said Governor and Company have heretofore closed the Books for Transfer of the various Capital Stocks and Annuities created by Parliament transferable at the Bank of *England*, forming Part of the Unredeemed Public Debt, for a certain Number of Days prior to the Days fixed for the Payment of the half-yearly Dividend thereon respectively, in order to their Convenience in calculating the Dividends due to the several Proprietors thereof, and preparing the Warrants for the same, and during the Period of such closing no Transfers have been permitted, except under Circumstances of special Necessity, and such Transfers have been attended with great Inconvenience, by reason of the Stock so transferred carrying the Right to the current Half Year's Dividend: And whereas it is desirable to increase the Facilities for the Transfer of such Stocks:' Be it enacted, That it shall be lawful for the said Governor and Company to close the Books for the Transfer of the said several Stocks and Annuities respectively

on any Day in the Month preceding that in which the Dividends thereon respectively shall by Law be payable; and the Person or Persons who on the Day of the closing of such Books was or were inscribed as the Proprietor or Proprietors of any Share or Shares of and in such Stocks and Annuities respectively shall, as between him, her, or them, and the Transferee or Transferees thereof, be the Person or Persons entitled to the then current Half Year's Dividend thereon; and the Person or Persons to whom any Transfer shall be made after the Day of the closing of such Books shall not be entitled to the then current Half Year's Dividend on such Stock, but shall take and accept the same exclusive of the Right to the said half-yearly Dividend; provided that the Period for which such Books of Transfer shall be closed shall not exceed Fifteen Days.

Extending Powers of 56 G. 3. c. 60. as to the Re-transfer of unclaimed Dividends Stock.

8. 'And whereas by an Act passed in the Fifty-sixth Year 'of the Reign of His Majesty King *George* the Third, intituled '*An Act to authorize the transferring Stock upon which Divi-* 'dends shall remain unclaimed for the Space of at least Ten 'Years at the Bank of England, and also all Lottery Prizes or 'Benefits, and Balances of Sums issued for paying the Principal 'of Stocks or Annuities, which shall not have been demanded 'for the same Period, to the Commissioners for the Reduction 'of the National Debt, it is enacted, that it shall be lawful for 'the Governor or Deputy Governor of the Bank of *England* for 'the Time being to authorize and direct the Accountant General 'or Secretary of the said Governor and Company for the Time 'being to re-transfer any Capital Stock which shall have been 'transferred to the Commissioners for the Reduction of the 'National Debt under the Circumstances therein mentioned: 'And whereas it is expedient to extend the Authority in the said 'Act contained to the Deputy Accountant General and Deputy 'or Assistant Secretary for the Time being of the said Governor 'and Company:' Be it enacted, That all Transfers directed to be made under the Provisions in that Behalf contained in the said Act to and from the Account of the said Commissioners shall be as valid and effectual, if made by the Deputy Accountant General or the Deputy or Assistant Secretary of the said Governor and Company for the Time being, as if the same had been made by the Accountant General or Secretary of the said Governor and Company for the Time being.

Accounts to be laid before Parliament by the Bank.

9. The said Governor and Company shall, within Thirty Days after the Meeting of Parliament in every Year, cause an Account to be laid before Parliament of the Amount of the Balances of Sums issued for the Payment of Dividends due and not demanded, and which shall be and remain in their Hands on the Days respectively next before the Issue from the Exchequer of Money for the Payment of Dividends upon account of the National Debt for each of the Four preceding Quarters respectively.

Provision as to closing Books for Transfer of

10. 'And whereas the said Governor and Company have also 'heretofore closed, in the Manner and for the Purposes herein- 'before mentioned, the Books for Transfer of certain Stocks

'created

'created by the Secretary of State in Council of *India* under 'the Authority of certain Acts of Parliament empowering him in 'that Behalf, and it is desirable that the Provisions herein- 'before contained shall extend to the said last-mentioned Stocks 'likewise:' Be it enacted, That it shall be lawful for the said Governor and Company in like Manner to close the Books for the Transfer of the said Stocks so created by the Secretary of State in Council for *India* as aforesaid respectively, on any Day in the Month preceding that in which the Dividends thereon respectively shall by Law be due, and thereupon the Rights of the Transferor and Transferee respectively to such Dividends shall be the same as is herein-before provided respecting the Transferor and Transferee of Dividends of other Capital Stocks transferable at the Bank of *England* in the like Case; provided that the Period for which such Books of Transfer shall be closed shall not exceed Fifteen Days. East India Stocks.

CAP. IV.

An Act for amending the *Red Sea* and *India* Telegraph Act, 1859. [22d *March* 1861.]

'WHEREAS in the Year One thousand eight hundred and 'fifty-eight a Joint Stock Company was incorporated, 'under the Joint Stock Companies Act, 1856, by the Name of '"The *Red Sea* and *India* Telegraph Company, Limited," for 'the Purpose of establishing Telegraphic Communication between '*England* and *India* by the *Red Sea:* And whereas by an 'Indenture of Agreement dated the Eighteenth Day of *November* 'One thousand eight hundred and fifty-eight, and made between 'the Right Honourable *Edward Geoffrey* Earl of *Derby* and the 'Right Honourable *Benjamin D'Israeli*, Two of the Lords 'Commissioners of Her Majesty's Treasury of the one Part, and 'the said Company of the other Part, it was, amongst other 'things, provided as follows: "That the Lords Commissioners '"of Her Majesty's Treasury shall guarantee to the Company '"(subject to such Confirmation by Act of Parliament as herein- '"after mentioned) that during the Period of Fifty Years from '"the Fourth Day of *August* in the Year of our Lord One thou- '"sand eight hundred and fifty-eight the net Receipts available '"for Dividends upon each half-yearly Statement of Accounts, '"after Payment of Working Expenses, as herein-after men- '"tioned, shall be equal to Interest or Dividend at the Rate '"of Four and a Half *per Centum per Annum* at the least upon '"the Amount of the Capital for the Time being *bonâ fide* '"called and paid up for the Purpose of the Company's Under- '"taking, not exceeding in any Case, except as herein-after '"mentioned, the Sum of Eight hundred thousand Pounds, and '"shall, if and so often as during the said Period of Fifty '"Years upon any half-yearly Statement of Accounts the net '"Receipts available for Dividend after the Payment of Working '"Expenses shall not be equal to Interest or Dividend at the '"Rate of Two and a Quarter *per Centum* for the Half Year

'"upon

‘ “ upon the above-mentioned Amount of Capital, pay and make
‘ “ good such Deficiency to the Company ; provided always, that
‘ “ in the Calculation of the Amount to which the Company
‘ “ are entitled upon this Guarantee all Capital paid up in the
‘ “ course of the current Half Year shall be taken to be entitled
‘ “ to Interest or Dividend at the above-mentioned Rate only
‘ “ from the Time when the same was so paid up ; provided also,
‘ “ that all Amounts paid by the Lords Commissioners under
‘ “ this Guarantee shall be a Charge upon the Company, to be
‘ “ repaid out of future surplus Profits, as herein-after provided :”
‘ And whereas the said Company was afterwards incorporated by
‘ the *Red Sea* and *India* Telegraph Act, 1859, and the said
‘ Indenture of Agreement was by the said Act confirmed : And
‘ whereas Doubts are entertained whether the said Agreement
‘ empowers the said Commissioners to give effect to such
‘ Guarantee, except during such Time as the Line of Telegraph
‘ of the Company is in Working Order : And whereas it is
‘ expedient that such Doubts should be removed :’ Be it enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Construction of Agreement.

1. It is hereby declared, That the Guarantee contained in the said Agreement was not intended to be and is not conditional on the Line of Telegraph of the Company being in Working Order.

Acts to be construed together.

2. This Act and the *Red Sea* and *India* Telegraph Act, 1859, shall be construed together as One Act.

CAP. V.

An Act to amend the Law relating to Supply Exchequer Bills, and to charge the same on the Consolidated Fund.

[18th *April* 1861.]

‘ WHEREAS it is expedient to amend the Acts now in force for regulating the issuing and paying off Exchequer Bills ‘ issued for the raising of any Money under the Authority of ‘ Parliament :’ Be it therefore enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same :

Mode of preparing and issuing Exchequer Bills after passing of this Act.

1. From and after the passing of this Act all Exchequer Bills which shall hereafter be made out under the Authority of any Act or Acts of Parliament shall be prepared and made out, at the Receipt of the Exchequer, in such Method and Form, with Coupons for the Interest becoming due from Time to Time thereon, as the Commissioners of Her Majesty’s Treasury shall think most safe and convenient, and may contain one common Sum or different Sums in the Principal Monies ; and every such Exchequer Bill shall be signed by the Comptroller General of Her Majesty’s Exchequer, or by the Assistant Comptroller, in his own Name : Provided always, that no such Exchequer Bills shall be signed by such Comptroller General or Assistant Comptroller, and put into circulation,

Exchequer Bills.

circulation, until Notice of his Authority to sign Exchequer Bills under this Act shall be duly notified in the *London Gazette*.

Exchequer Bills to be charged on the Consolidated Fund.

2. All Monies raised by such Exchequer Bills so to be prepared and made out, either of one common Sum or different Sums in the Principal Monies therein contained, shall be carried to and made Part of the Consolidated Fund of the United Kingdom; and the Principal Monies contained therein, and all Interest due thereupon from Time to Time, shall be charged upon and paid out of the Consolidated Fund of the United Kingdom, or out of the growing Produce thereof.

Rate of Interest on Exchequer Bills.

3. All Exchequer Bills prepared and made out under the Authority and Directions of this Act shall bear Date on such Days, and shall and may bear Interest at such Rate, as may from Time to Time be fixed by the Commissioners of the Treasury, not exceeding the Rate of Five Pounds and Ten Shillings *per Centum per Annum*, upon and in respect of the Monies respectively contained therein; and such Interest shall be payable half-yearly at the Bank of *England* under such Regulations as shall be prescribed in that respect by the Commissioners of Her Majesty's Treasury.

Exchequer Bills to be advertised for Payment annually.

4. The Commissioners of Her Majesty's Treasury shall, on some Day not later than Fourteen Days prior to the Expiration of each Twelve Months from the respective Dates of such Exchequer Bills, during their legal Currency, give Notice in the "*London Gazette*" of the Day or Days on which, if claimed, Payment will be made to the Holders of such Bills of the Principal Monies therein contained; and such Payment, if claimed, shall be made to such Holders at the Bank of *England* under such Regulations as the said Commissioners shall prescribe; and if Payment of such Principal Monies shall not be so claimed, then the Exchequer Bills not so paid off shall continue to have legal Currency for the next following Twelve Months, and so on from Year to Year until such Principal Monies shall be claimed and paid to such Holders, but such Holders shall have no Title to claim Payment of such Principal Monies at any Interval of Time between the Times fixed by such yearly Notices, except as provided in Section 5 of this Act.

Exchequer Bills to be current for Duties payable to Her Majesty.

5. At any Time in the last Six Months of every Year from the Day of the Date thereof in which Exchequer Bills shall have Currency by Law such Exchequer Bills shall and may be received and taken, and shall pass and be current for the Principal Monies contained therein, to all and every the Receivers and Collectors of the United Kingdom of the Customs, Excise, or any Revenue, Supply, Aid, or Tax whatsoever, already granted, due, or payable, or which shall or may hereafter be granted, due, or payable to Her Majesty, Her Heirs and Successors, and also at the Bank of *England* on account of the Exchequer, from the said Receivers or Collectors, or from any other Person or Persons, Bodies Politic or Corporate whatsoever, making any Payment there to Her Majesty, Her Heirs and Successors, for or upon any Account, Cause, or Occasion whatsoever, according to the Purport and true Meaning of this Act, and so on from Year to Year during the last

last Six Months of every Year in which such Exchequer Bills shall have Currency by Law, as provided in Section 4 of this Act, but such Exchequer Bills shall not be receivable for Duties granted to Her Majesty at any Time or Times except during such last Six Months of every such Year: Provided always, that all such Exchequer Bills as shall be tendered in Payment of Duties by virtue of this Act shall be transmitted by the Receivers thereof to the Comptroller General of Her Majesty's Exchequer for Examination; and no such Exchequer Bills shall be finally accepted in Payment of such Duties until they shall have been so examined and verified by the said Comptroller General.

Treasury may issue Bills in lieu of Bills paid off in Money, &c.

6. Whenever Payment of the Principal Monies of any Exchequer Bills shall be claimed and shall be paid to any Holder thereof, and whenever any Exchequer Bills shall be paid in for Duties granted to Her Majesty under the Authority of this Act, it shall be lawful for the Commissioners of Her Majesty's Treasury to order the Preparation and Issue of a like Amount of Exchequer Bills in place of the Exchequer Bills so paid off and so paid in for Duties.

Power to Treasury to issue new Exchequer Bills to replace former Exchequer Bills to any Amount not exceeding 13,230,000*l.*

7. 'And whereas under the Authority of an Act of the 'Twenty-third *Victoria*, Chapter Twenty, the Commissioners of 'Her Majesty's Treasury were empowered at any Time or Times 'to cause any Number of Exchequer Bills to be made out at 'the Receipt of the Exchequer at *Westminster* for any Sum or 'Sums of Money not exceeding in the whole the Sum of Thirteen 'million two hundred and thirty thousand Pounds: And whereas 'it is expedient to authorize the said Commissioners to cause 'the like Amount of Exchequer Bills to be prepared, made out, 'and issued under the Authority of this Act to replace the Ex-'chequer Bills so authorized to be made out by the said recited 'Act:' Be it therefore enacted, That the said Commissioners shall have such Power and Authority accordingly: Provided always, that no Amount greater than the said Sum of Thirteen million two hundred and thirty thousand Pounds shall be at any Time in circulation without the express Authority of an Act of Parliament to be passed for that Purpose: Provided also, that all such Exchequer Bills shall be issued for any Term not exceeding Five Years, and shall be renewed from Time to Time for Periods not exceeding Five Years.

Interest on Exchequer Bills payable in part of Revenue to be paid.

8. The Interest which shall from Time to Time be due upon any Exchequer Bill or Bills which may be hereafter issued, and which shall be made payable in part of any Duties granted to Her Majesty, shall be allowed to all Persons, Bodies Politic and Corporate, paying the same to any Receiver or Collector, Receivers or Collectors, of any Duties granted to Her Majesty, to the respective Days upon which such Bill or Bills shall be so paid: Provided always, that all Interest upon or for any such Bill or Bills so paid into the Hands of any of the said Receivers or Collectors, or into the Bank of *England* on account of the Exchequer, shall cease on and from the Day of such Payment.

When such Bills are paid in. Parties to

9. And to the end it may be known for what Time such Bills bearing Interest shall from Time to Time remain in the Hands of

of such Receivers or Collectors, or in the Bank of *England* on account of the Exchequer as aforesaid, be it enacted, That the Person or Persons who shall pay any such Bill or Bills so bearing Interest to any Receivers or Collectors of any Duties granted to Her Majesty shall, at the Time of making such Payment, write upon each such Bill his, her, or their Name or Names, and in Words at Length the Day of the Month and Year in which he, she, or they so paid such Bill or Bills bearing Interest, all which the said Receivers and Collectors respectively, and also the proper Officers of the Bank of *England*, shall take care to see done and performed accordingly; to which respective Days the said Receivers and Collectors shall be allowed again the Interest which he or they shall have allowed or paid upon such respective Bill or Bills, upon his or their paying the same into the Bank of *England* on account of the Exchequer.

Receivers write their Names and the Date thereon.

10. All the said Exchequer Bills shall be prepared and made out with such Cheques, Indents, or Counterfoils as shall be directed by the Commissioners of the Treasury; and the Person or Persons appointed or who shall be appointed to pay off the said Bills shall from Time to Time have the Use and Custody of the Cheques, Indents, or Counterfoils from which the said Bills shall have been cut, to prevent his or their being imposed upon by counterfeit or forged Bills; and all the said Cheques, Indents, or Counterfoils shall be delivered back into the Receipt of the Exchequer when the said Bills shall have been paid off, cancelled, and discharged, and the Account thereof shall have been audited and allowed.

Treasury to direct Cheques, Indents, and Counterfoils.

11. Unless otherwise directed by the Commissioners of Her Majesty's Treasury, Two Counterfoils shall be made to every Exchequer Bill issued after the passing of this Act, and One of such Counterfoils shall not be delivered for the Use or into the Custody of any Paymaster of Exchequer Bills, unless by special Direction of the Commissioners of Her Majesty's Treasury, but shall remain in the Custody of the Comptroller General, subject to such Directions as shall be given by the said Commissioners from Time to Time for keeping or burning or otherwise destroying the same.

Two Counterfoils to be made.

12. In case any of the Exchequer Bills shall by any Accident be defaced it shall be lawful for the Commissioners of the Treasury from Time to Time to cause a new Bill or new Bills to be made out in lieu of the Bill or Bills which shall be so defaced, which Bill or Bills so defaced shall be cancelled, and such Bill or Bills so to be made out in lieu thereof shall have a like Currency, and shall in all respects be subject to the same Rules, Methods, and Continuance, as the Bill or Bills so defaced, and shall bear the same Numbers, Dates, and Principal Sums, and carry the like Interest, as was borne and carried by the Bill or Bills so cancelled respectively.

Exchequer Bills defaced to be exchanged for new ones.

13. If any Person or Persons shall forge or counterfeit any Exchequer Bill or Coupon for Interest, or any Indorsement or Writing thereupon or therein, or tender in Payment any such forged or counterfeited Bill, or any Exchequer Bill with such counterfeit

Penalty for forging or counterfeiting Exchequer Bills.

counterfeit Indorsement or Writing thereon, or shall demand to have such counterfeit Bill, or any Exchequer Bill with such counterfeit Indorsement or Writing thereupon or therein, exchanged for ready Money or for another Exchequer Bill, by any Person or Persons, Body or Bodies Politic or Corporate, who shall be obliged or required to exchange the same, or by any other Person or Persons whatsoever, knowing the Bill so tendered in Payment, or demanded to be exchanged, or the Indorsement or Writing thereupon or therein, to be forged or counterfeited, and with Intent to defraud Her Majesty, Her Heirs and Successors, or the Persons to be appointed to pay off the same, or any of them, or to pay any Interest thereupon, or the Person or Persons, Body or Bodies Politic or Corporate, who shall contract or circulate or exchange the same, or any of them, or any other Person or Persons, Body or Bodies Politic or Corporate, then every such Person or Persons so offending, being thereof lawfully convicted, shall be adjudged a Felon, and shall suffer accordingly.

Provision in case of Loss, &c. by Casualty or Mischance, of Exchequer Bills.

14. In case Proof shall be made on the Oath or Oaths of One or more credible Witness or Witnesses, before the Lord Chief Baron and other the Barons of the Coif of Her Majesty's Court of Exchequer, or any of them, that any Exchequer Bill has, by Casualty or Mischance, been lost, burnt, or otherwise destroyed, before the same shall have been paid off and discharged, and if by such Oath or Oaths the Numbers and Sums of such Bill or Bills shall be ascertained, and the said Chief Baron and other the said Barons, or any of them, before whom such Oath or Oaths shall be made, shall certify that he or they are satisfied with such Proof, then and in every such Case the Commissioners of the Treasury are hereby authorized to cause the Money due upon such Bill or Bills so lost, burnt, or destroyed to be paid in like Manner as if the original Bill or Bills were brought in to be paid off; provided that the Person or Persons so receiving the Money do give Security to the Queen, to the good liking of the Person or Persons appointed or who shall be appointed as aforesaid to pay off and take in the said Bills, to pay in to the Receipt of the Exchequer, for the Use of the Public, so much Money as shall be paid upon such Certificate or Certificates, if the Bill or Bills so certified to be lost, burnt, or destroyed shall be thereafter produced.

Fractions of a Penny for Interest not payable.

15. As often as any Interest upon any Exchequer Bill or Bills shall be demanded to be paid, the Persons charged with the Payment of the same shall not be obliged to pay for such Interest to any less Sum than One Penny upon such Bill, in case a single Bill be produced, or for the Total of the Interest of such Bills, where Two or more shall be offered at one Time by the same Person.

As to the Manufacture of Paper to be used for Exchequer Bills.

16. The Commissioners of Inland Revenue, or such Person or Persons as the Commissioners of Her Majesty's Treasury shall direct, shall cause to be provided such Instruments or Machinery as may be necessary for the making of Paper to be used as Exchequer Bills, and to receive the Impression of the Dies, Plates, or other Instruments which have been or shall be provided,

vided, made, or used by or under the Direction of the Comptroller General, or of the Commissioners of Her Majesty's Treasury, for the Purpose of distinguishing Exchequer Bills, which Paper shall have such Words, Figures, Marks, Lines, Threads, or other Devices appearing in the Substance of the same as the Comptroller General or the said Commissioners of Her Majesty's Treasury shall from Time to Time order; and it shall be lawful for the said Comptroller General or Commissioners of Her Majesty's Treasury from Time to Time, as he or they shall see fit, to alter any such Words, Letters, Figures, Marks, Lines, Threads, or other Devices, either by the Removal of any of them, and the Substitution of other Words, Letters, Figures, Marks, Lines, Threads, or other Devices, or by any Change in the Position or Arrangement thereof; and all such Instruments and Machinery shall be provided, and all such Paper shall be made, under such Regulations and by such Person or Persons as the said Commissioners of Inland Revenue, or other Person or Persons directed by the Commissioners of Her Majesty's Treasury, shall from Time to Time appoint or contract with for that Purpose; and all the said Instruments and Machinery shall be kept by such Officer or Officers or other Person as the said Commissioners of Inland Revenue, or other Person or Persons directed by the Commissioners of Her Majesty's Treasury, shall appoint; and all the Paper so made shall, as the same is required, be delivered over to the Comptroller General, or to such Officer or Warehouse Keeper as he shall direct to receive and take charge of the same.

As to present Contracts.

17. 'And whereas certain Quantities of Paper have been made and manufactured, under the Superintendence of Officers of the Inland Revenue, by Directions of the Comptroller General and the Commissioners of the Treasury, and have been supplied to the said Comptroller General, with certain Lines, Threads, or Devices appearing in the Substance of such Paper, according to the Samples thereof delivered to and kept in the Office of the Comptroller General:' Be it enacted, That all the Paper so made and supplied, or which hereafter shall be made or supplied, shall be subject to all the Enactments of this Act in the same Manner as if the same had been made and supplied under the Enactments herein contained.

Penalty on Persons manufacturing or using Paper, Plates, or Dies intended to imitate those used for Exchequer Bills.

18. Every Person who shall make, or cause or procure to be made, or shall aid or assist in making, or shall knowingly have in his Possession, not being legally authorized by the Commissioners of Inland Revenue or Commissioners of Her Majesty's Treasury, and without lawful Excuse (the Proof whereof shall lie on the Person accused), any Instrument having therein any Words, Letters, Figures, Marks, Lines, or Devices peculiar to and appearing in the Substance of any Paper provided or to be provided or used for Exchequer Bills, or any Machinery for working any Threads into the Substance of any Paper, or any such Thread, and intended to imitate such Words, Letters, Figures, Marks, Lines, Threads, or Devices, or any Plate peculiarly employed for printing Exchequer Bills, or any Die peculiarly used for preparing any such Plate, or for sealing such Exchequer Bills,

or

or any Plate or Die intended to imitate such Plates or Die respectively; and also every Person, except as before excepted who shall make or cause or procure to be made, or aid or assist in making, any Paper in the Substance of which shall appear any Words, Letters, Figures, Marks, Lines, Threads, or other Device peculiar to and appearing in the Substance of any Paper provided or to be provided or used for Exchequer Bills, or any Part of such Words, Letters, Figures, Marks, Lines, Threads, or other Devices, and intended to imitate the same; and also every Person except as before excepted, who shall knowingly have in his Possession, without lawful Excuse (the Proof whereof shall lie on the Person accused), any Paper whatever, in the Substance whereof shall appear any such Words, Letters, Figures, Marks Lines, Threads, or Devices as aforesaid, or any Part of such Words, Letters, Figures, Marks, Lines, Threads, or Devices, and intended to imitate the same; and also every Person, except as before excepted, who shall cause or assist in causing any such Words, Letters, Figures, Marks, Lines, Threads, or Devices as aforesaid, or any Part of such Words, Letters, Figures, Marks, Lines, Threads, or other Devices, and intended to imitate the same, to appear in the Substance of any Paper whatever, or who shall take or assist in taking any Impression of any such Plate or Die as aforesaid, shall be guilty of Felony.

Persons unlawfully having in possession Paper to be used as Exchequer Bills guilty of a Misdemeanor.

19. That every Person, not lawfully authorized, and without lawful Excuse (the Proof whereof shall lie on the Person accused), who shall purchase, or receive or take, and have in his Custody, any Paper manufactured and provided by or under the Directions of the Commissioners of Inland Revenue, or Commissioners of Her Majesty's Treasury, for the Purpose of being used as Exchequer Bills, before such Paper shall have been duly stamped, signed, and issued for public Use, or any such Plate or Die as aforesaid, shall for every such Offence be guilty of a Misdemeanor, and being convicted thereof shall, at the Discretion of the Court before whom he shall be tried, be imprisoned for any Period not more than Three Years nor less than Six Calendar Months.

Bank may advance 13,230,000*l.* on the Credit of Bills, notwithstanding 5 & 6 W. & M. c. 20.

20. It shall be lawful for the Governor and Company of the Bank of *England* to advance or lend to Her Majesty, upon the Credit of the Exchequer Bills to be made out in pursuance of this Act, any Sum or Sums of Money not exceeding in the whole the Sum of Thirteen million two hundred and thirty thousand Pounds; anything in an Act passed in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, Chapter Twenty, or in any subsequent Act, to the contrary thereof in anywise notwithstanding.

To apply only to Bills issued under this Act.

21. This Act shall apply to such Exchequer Bills only as shall be made out and issued under the Authority herein contained.

CAP. VI.

An Act to apply the Sum of Three Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and sixty-one. [18th *April* 1861.]

CAP

CAP. VII.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.

[18th *April* 1861.]

[The Sections now printed are either entirely new or have been materially altered.]

WHEREAS the raising or keeping a Standing Army within the United Kingdom of *Great Britain* and *Ireland* in Time of Peace, unless it be with the Consent of Parliament, is against Law: And whereas it is adjudged necessary by Her Majesty and this present Parliament that a Body of Forces should be continued for the Safety of the United Kingdom, the Defence of the Possessions of Her Majesty's Crown, and the Preservation of the Balance of Power in *Europe*, and that the whole Number of such Forces should consist of One hundred and forty-six thousand and forty-four Men, exclusive of Six thousand six hundred and eighty-eight Officers and Men, being the Depôts of Regiments in *India* stationed in *Great Britain*, and exclusive of the Officers and Men belonging to the Regiments and other Corps employed in Her Majesty's *East Indian* Possessions, but including the Officers and Men of the Troops and Companies recruiting for those Regiments and Corps: And whereas no Man can be forejudged of Life or Limb, or subjected in Time of Peace to any Kind of Punishment within this Realm, by Martial Law, or in any other Manner than by Judgment of his Peers, and according to the known and established Laws of this Realm; yet nevertheless it being requisite, for the retaining all the before-mentioned Forces in their Duty, that an exact Discipline be observed, and that Soldiers who shall mutiny or stir up Sedition, or shall desert Her Majesty's Service, or be guilty of Crimes and Offences to the Prejudice of good Order and Military Discipline, be brought to a more exemplary and speedy Punishment than the usual Forms of the Law will allow: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Numbers, 146,044 Men.

2. All the Provisions of this Act shall apply to all Persons who are or shall be commissioned or in Pay as an Officer, or who are or shall be listed or in Pay as a Non-commissioned Officer or Soldier, other than Officers and Soldiers belonging to Her Majesty's *Indian* Forces, and to all Persons employed on the Recruiting Service receiving Pay, and all Pensioners receiving Allowances in respect of such Service, and to the Officers and Soldiers belonging to Her Majesty's *Indian* Forces, while such Officers or Soldiers shall be in any Part of the United Kingdom, and to Persons who are or shall be hired to be employed in the Royal Artillery and Military Store Department, and to Master Gunners, and to Conductors of Stores, and to the Corps of Royal Military

Persons subject to this Act.

Military Surveyors and Draftsmen, and to all Officers and Persons who are or shall be serving on the Commissariat Staff or in the Commissariat Staff Corps, and to Persons in the War Department, who are or shall be serving with any Part of Her Majesty's Army at home or abroad, under the Command of any Commissioned Officer, and (subject to and in accordance with the Provisions of an Act passed in the Sixth and Seventh Years of the Reign of Her present Majesty, Chapter Ninety-five), to any Outpensioners of the Royal Hospital, *Chelsea*, who may be called out on Duty in aid of the Civil Power, or for Muster or Inspection, or who having volunteered their Services for that Purpose shall be kept on Duty in any Fort, Town, or Garrison, and to all Storekeepers and other Civil Officers who are or shall be employed by or act under the Secretary of State for War at any of Her Majesty's Establishments in the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, or at Foreign Stations; provided that nothing in this Act contained shall extend to affect any Security which has been or shall be given by any Storekeeper, Barrack Master, or other Officer, or their Sureties, for the due Performance of their respective Offices, but that all such Securities shall be and remain in full Force and Effect.

As to the Custody of Military Offenders under Sentence of Court-martial and in other Cases.

30. Every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison or of any Gaol or House of Correction in any Part of Her Majesty's Dominions shall receive into his Custody any Military Offender under Sentence of Imprisonment by a Court-martial, upon Delivery to him of an Order in Writing in that Behalf from the General commanding in chief, or the Adjutant General, or the Officer who confirmed the Proceedings of the Court, or the Officer commanding the Regiment or Corps to which the Offender belongs or is attached, which Order shall specify the Offence of which he shall have been convicted, and the Sentence of the Court, and the Period of Imprisonment which he is to undergo, and the Day and Hour of the Day on which he is to be released; and such Governor, Provost Marshal, Gaoler, or Keeper shall keep such Offender in a proper Place of Confinement, with or without Hard Labour, and with or without Solitary Confinement, according to the Sentence of the Court and during the Time specified in the said Order, or until he be discharged or delivered over to Military Custody before the Expiration of that Time under an Order duly made for that Purpose; and whenever Troops are called out in aid of the Civil Power, or are stationed in Billets, or are on the Line of March, every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement, shall receive into his Custody any Soldier for a Period not exceeding Seven Days, upon Delivery to him of an Order in Writing on that Behalf from the Officer commanding such Troops.

As to the Removal of Prisoners.

31. In the Case of a Prisoner undergoing Imprisonment under the Sentence of a Court-martial in any public Prison other than the Military Prisons set apart by the Authority of this Act, or in

in any Gaol or House of Correction in any Part of the United Kingdom, it shall be lawful for the General commanding in chief, or the Adjutant General, or the Officer who confirmed the Proceedings of the Court, or the Officer commanding the District or Garrison in which such Prisoner may be, to give, as often as Occasion may arise, an Order in Writing directing that the Prisoner be discharged, or be delivered over to Military Custody, whether for the Purpose of being removed to some other Prison or Place in the United Kingdom, there to undergo the Remainder or any Part of his Sentence, or for the Purpose of being brought before a Court-martial either as a Witness or for Trial; and in the Case of a Prisoner undergoing Imprisonment under the Sentence of a Court-martial in any public Prison other than such Military Prison as aforesaid, or in any Gaol or House of Correction in any Part of Her Majesty's Dominions other than the United Kingdom, it shall be lawful for the General commanding in chief or the Adjutant General of Her Majesty's Forces in the Case of any such Prisoner, and for the Commander-in-Chief in India in the Case of any Prisoner so confined in any Part of Her Majesty's *Indian* Dominions, and for the General commanding in chief in any Presidency in *India* in the Case of a Prisoner so therein confined, and for the Officer commanding in Chief or the Officer who confirmed the Proceedings of the Court at any Foreign Station in the Case of a Prisoner so there confined, to give, as often as Occasion may arise, an Order in Writing directing that the Prisoner be discharged or be delivered over to Military Custody, whether for the Purpose of being removed to some other Prison or Place in any Part of Her Majesty's Dominions there to undergo the Remainder or any Part of his Sentence, or for the Purpose of being brought before a Court-martial either as a Witness or for Trial; and in the Case of any Prisoner who shall be removed by any such Order from any such Prison, Gaol, or House of Correction either within the United Kingdom or elsewhere to some other Prison or Place either in the United Kingdom or elsewhere, the Officer who gave such Order shall also give an Order in Writing directing the Governor, Provost Marshal, Gaoler, or Keeper of such other Prison or Place to receive such Prisoner into his Custody, and specifying the Offence of which such Prisoner shall have been convicted, and the Sentence of the Court, and the Period of Imprisonment which he is to undergo, and the Day and the Hour on which he is to be released; and such Governor, Provost Marshal, Gaoler, or Keeper shall keep such Offender in a proper Place of Confinement, with or without Hard Labour, and with or without Solitary Confinement, according to the Sentence of the Court, and during the Time specified in the said Order, or until he be duly discharged or delivered over to Military Custody before the Expiration of that Time under an Order duly made for that Purpose; and in the Case of a Prisoner undergoing Imprisonment under the Sentence of a Court-martial in any Military Prison in any Part of Her Majesty's Dominions, the Secretary

of State for War, or any Person duly authorized by him in that Behalf, shall have the like Powers in regard to the Discharge and Delivery over of such Prisoners to Military Custody as may be lawfully exercised by any of the Military Authorities above mentioned in respect of any Prisoners undergoing Confinement as aforesaid in any public Prison other than a Military Prison, or in any Gaol or House of Correction in any Part of Her Majesty's Dominions; and such Prisoner in any of the Cases herein-before mentioned shall accordingly, on the Production of any such Order as is herein-before mentioned, be discharged or delivered over, as the Case may be: Provided always, that the Time during which any Prisoner under Sentence of Imprisonment by a Court-martial shall be detained in such Military Custody under such Order as aforesaid shall be reckoned as Imprisonment under the Sentence for whatever Purpose such Detention shall take place; and such Prisoner may during such Time, either when on board Ship or otherwise, be subjected to such Restraint as is necessary for his Detention and Removal.

Desertion of Recruits prior to joining their Regiments or Corps.

36. Any Recruit for Her Majesty's Army who shall desert before joining the Regiment or Corps for which he has enlisted shall, on being apprehended, and committed for such Desertion by any Justice of the Peace upon the Testimony of One or more Witnesses upon Oath, or upon his own Confession, forfeit his personal Bounty, and be liable to be transferred to any Regiment or Corps or Depôt nearest to the Place where he shall have been apprehended, or to any other Regiment or Corps to which Her Majesty may deem it more desirable that he should be transferred: Provided always, that such Deserters thus transferred shall not be liable to other Punishment for the Offence, or to any other Penalty except the Forfeiture of their personal Bounty.

Fraudulent Confession of Desertion.

37. Any Person who shall confess himself to be a Deserter from Her Majesty's Forces, or from Her Majesty's *Indian* Forces, or from the Embodied Militia, shall be liable to be taken before any Two Justices of the Peace acting for the County, District, City, Burgh, or Place where any such Person shall at any Time happen to be when he shall be brought before them, and on Proof that any such Confession as aforesaid was false, shall by the said Justices be adjudged to be punished, if in *England* as a Rogue and Vagabond, and if in *Scotland* or *Ireland* by Commitment to some Prison or House of Correction, there to be kept to Hard Labour for any Time not exceeding Three Calendar Months; and if, when such Person shall be brought before the said Justices, it shall be proved to their Satisfaction that such Confession has been made, but Evidence of the Truth or Falsehood of such Confession shall not at that Time be forthcoming, such Justices are hereby required to remand such Person in the Manner herein-before mentioned, and to transmit a Statement of the Case to the Secretary of State for War, with a Request to be informed whether such Person appears to belong or to have belonged to the Regiment or Corps from which he shall have so confessed himself to have deserted; and a Letter from the War Office in reply thereto, referring to such Statement, and purporting

puring to be signed by or on behalf of the Secretary of State for War, shall be admissible in Evidence against such Person, and shall be deemed to be legal Evidence of the Facts stated therein, and on the Receipt thereof the said Justices shall forthwith proceed to adjudicate upon the Case.

Recruits, when deemed to be enlisted.

43. Every Person who shall receive Enlisting Money in manner aforesaid, knowing it to be such, shall, subject to the Provisions herein-after contained, upon such Receipt be deemed to be enlisted as a Soldier in Her Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be billeted.

When Recruits to be taken before a Justice.

44. Every Person so enlisted as aforesaid shall within Ninety-six Hours (any intervening *Sunday*, *Christmas Day*, or *Good Friday* not included), but not sooner than Twenty-four Hours after such Enlistment, appear, together with some Person employed in the Recruiting Service, before a Justice of the Peace, not being an Officer of the Army, in order that he may be attested by making the Declaration and taking the Oath herein-after mentioned, or may have an Opportunity of objecting to his Enlistment; and upon such Appearance, the Justice or some Person deputed by him shall fill up the Declaration set forth in the Schedule to this Act annexed, first asking the Recruit the Questions that are requisite for that Purpose, and cautioning him that if he should make any wilfully false Answer thereto, he will be liable to be punished as a Rogue and Vagabond.

Dissent and Relief from Enlistment.

45. When a Recruit upon appearing before a Justice for the Purposes aforesaid shall dissent from or object to his Enlistment, and shall satisfy the Justice that the same was effected in any respect irregularly, he shall forthwith discharge the Recruit absolutely, and shall report such Discharge to the Inspecting Field Officer of the District, or in the Case of a Recruit enlisted at the Head Quarters or Depôt of a Regiment to the Officer commanding the same; but if the Recruit so dissenting shall not allege or shall not satisfy the Justice that the Enlistment was effected irregularly, nevertheless, upon Repayment of the Enlisting Money, and of any Sum received by him in respect of Pay, and of a further Sum of Twenty Shillings as Smart Money, he will be entitled to be discharged, and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and, after deducting therefrom One Shilling as the Fee for reporting the Payment to the Secretary of State for War and to the Inspecting Field Officer of the District, shall be paid over to any Person belonging to the Recruiting Party who may demand the same; and the Justice who shall discharge any Recruit shall in every Case give a Certificate thereof, signed with his Hand, to the Recruit, specifying the Cause thereof.

Attesting of Recruits.

46. If the Recruit on appearing before a Justice shall not dissent from his Enlistment, or dissenting shall within Twenty-four Hours return and declare that he is unable to pay the Sums mentioned in the last Section, the Justice shall require him to make the Declaration herein-before mentioned in the usual

Manner, and shall then administer to him the Oath of Allegiance in the Form set forth in the Schedule to this Act annexed; and when the Recruit shall have signed the said Declaration, and taken the said Oath, the Justice shall attest the same by his Signature, and shall deliver to the Recruiting Officer the Declaration so signed and attested; and the Fee for such Attestation, including the Declaration and Oath, shall be One Shilling and no more; and any Recruit shall, if he so wish, be furnished with a certified Copy of the above-mentioned Declaration by the Officer who finally approved of him for the Service.

Recruits, until they have been attested or received Pay not triable by Court-martial; but in certain Cases punishable as Rogues and Vagabonds.

47. No Recruit, unless he shall have been attested or shall have received Pay other than Enlisting Money, shall be liable to be tried by Court-martial; but if any Recruit, previously to his being attested, shall by means of any false Answer obtain Enlistment Money, or shall make any false Statement in his Declaration, or shall refuse to answer any Question duly authorized to be put to Recruits for the Purpose of filling up such Declaration, or shall refuse or neglect to go before a Justice for the Purposes aforesaid, or having dissented from his Enlistment, shall wilfully omit to return and pay such Money as aforesaid, in any of such Cases it shall be lawful for any Two Justices acting for the County, District, City, Burgh, or Place where any such Recruit shall at any Time happen to be, to adjudge such Recruit, when he shall be brought before them, if in *England*, to be a Rogue and Vagabond, and to sentence him to be punished accordingly, and if in *Scotland* or *Ireland* to be imprisoned with Hard Labour in any Prison or House of Correction for any Period not exceeding Three Calendar Months.

Attested Recruits triable in some Cases either before Two Justices or before a Court-martial.

48. Any Recruit who shall have been attested, and who shall afterwards be discovered to have given any wilfully false Answer to any Question directed to be put to Recruits, or shall have made any wilfully false Statement in the Declaration herein-before mentioned, shall be liable, at the Discretion of the proper Military Authorities, to be proceeded against before Two Justices in the Manner herein-before mentioned, and by them sentenced accordingly, or to be tried by a District or Garrison Court-martial for the same, and punished in such Manner as such Court shall direct.

Militiamen enlisting into Regular Forces.

50. If any Man while belonging to a Militia Regiment shall enlist in and be attested for Her Majesty's Army or Her Majesty's *Indian* Forces, he shall be liable to be tried before a Court-martial on a Charge for Desertion; but it shall be lawful for the Secretary of State for War, on the Confession thereof by such Militiaman, to order that in lieu of his being so tried he shall be subjected to a Stoppage of One Penny a Day of his Pay for Eighteen Calendar Months, to be applied as the Secretary of State for War shall direct, and further to determine whether such Man shall be returned to his Militia Regiment after such Sum shall have been made good, or shall be deemed to be a Soldier, in the same Manner as he would have been if he had not been a Militiaman at the Time of his Attestation, in which latter Case his Service as a Soldier shall not be reckoned for Pension until the Day on which his Engagement for the Militia would have expired:

expired: Provided that should the Regiment be within the United Kingdom the Secretary of State for War shall not make such Order without the Consent of the Commanding Officer of the Militia Regiment from which the Man shall have deserted.

Enlistment and Re-enlistment abroad.

52. It shall be lawful for any Justice of the Peace or Person exercising the Office of a Magistrate within any of Her Majesty's Dominions abroad, not being a General Officer nor holding any Regimental Commission, and for any Person performing the Duties of the Office of *British* Resident within the Territories of any Foreign State in *India*, and for any other Person authorized in that Behalf by any Governor of a Colony, or of any Presidency in *India*, who shall have received a Warrant signed by the Secretary of State for War empowering him to convey such Authority, to enlist and attest, out of *Great Britain* or *Ireland*, any Soldiers or Persons desirous of enlisting or re-enlisting into Her Majesty's Army or into Her Majesty's *Indian* Army; and any such Magistrate or Person as aforesaid shall have the same Powers in that Behalf as are by this or any other Act of Parliament given to Justices in the United Kingdom for all such Purposes of Enlistment and Attestation; and all such Appointments, past and future, and everything done or to be done under them, shall be valid and of full Effect, notwithstanding the Expiration of this Act or of any other Act of Parliament; and any Person so attested shall be deemed to be an attested Soldier; and as often as any Corps shall be relieved or disbanded at any Station beyond the Seas it shall be lawful for any Officers thereunto authorized by the Officer commanding in chief at such Station to receive as Transfers as many of the Soldiers belonging to the Corps leaving the Station as shall be willing and fit for Service for any Corps appointed to remain or for Her Majesty's *Indian* Forces; and every Soldier so transferred is hereby deemed to be discharged from his former Corps, and an attested Certificate of Transfer shall be delivered to the Soldier.

Soldiers transferred from one Service to another.

53. It shall be lawful for the Commander-in-Chief, or for any Officer authorized by him in that Behalf, to direct that any Soldier attested for any one Branch of the Service shall, on the Application of his Commanding Officer, and with his own Consent, be transferred to some other Branch of the Service, or to some other Regiment or Corps in the same Branch of the Service, either within the United Kingdom or elsewhere; and every Soldier so transferred shall be deemed to be discharged from his former Corps, and shall have a Certificate of Transfer delivered to him: Provided always, that any Soldier attested for the Infantry, and at his own Request transferred to the Cavalry, Artillery, or Engineers, shall be bound to serve for the full Term of such Service as if originally enlisted therein, but any Soldier at his own Request transferred from either of such before mentioned Services to the Infantry shall be liable to serve for the Term of his original Enlistment.

Re-engagement of Soldiers or of Persons

54. Any Soldier at any Time during the last Six Months of the Term of limited Service for which he shall have first

having been Soldiers for a further Term.

engaged, or any Person having been a Soldier after the Completion of such Term of Service and his Discharge therefrom, may, if approved by his Commanding Officer, or other competent Military Authority, as a fit Person to continue in Her Majesty's Service, be re-engaged or enlisted, to serve for the further Term of Eleven Years in the Infantry, and Twelve Years in the Cavalry, and Nine Years in the Artillery or Engineers, upon making a Declaration, in the Form given in the Schedule annexed to this Act, before any One of Her Majesty's Justices of the Peace in *Great Britain* or *Ireland*, or if not in *Great Britain* or *Ireland* before any Person duly appointed by Her Majesty, by any Warrant signed by the Secretary of State for War in that Behalf, to enlist and attest out of *Great Britain* and *Ireland* any Soldiers or Persons desirous of enlisting or re-enlisting into Her Majesty's Service.

Duration of this Act.

98. This Act shall be and continue in force within *Great Britain* from the Twenty-fifth Day of *April* One thousand eight hundred and sixty-one inclusive until the Twenty-fifth Day of *April* One thousand eight hundred and sixty-two; and shall be and continue in force within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Isle of Man*, and the Islands thereto belonging, from the First Day of *May* One thousand eight hundred and sixty-one inclusive until the First Day of *May* One thousand eight hundred and sixty-two; and shall be and continue in force within the Garrison of *Gibraltar*, the *Mediterranean*, and in *Spain* and *Portugal*, from the First Day of *August* One thousand eight hundred and sixty-one inclusive until the First Day of *August* One thousand eight hundred and sixty-two; and shall be and continue in force in all other Parts of *Europe* where Her Majesty's Forces may be serving, and in the *West Indies* and *America*, from the First Day of *September* One thousand eight hundred and sixty-one inclusive to the First Day of *September* One thousand eight hundred and sixty-two; and shall be and continue in force within the *Cape of Good Hope*, the *Isle of France* or *Mauritius* and its Dependencies, *Saint Helena*, and the Settlements on the Western Coast of *Africa*, from the First Day of *January* One thousand eight hundred and sixty-two inclusive until the First Day of *January* One thousand eight hundred and sixty-three; and shall be and continue in force within *British Columbia* and *Vancouver's Island*, from the Date of the Promulgation thereof in General Orders there inclusive until the First Day of *January* One thousand eight hundred and sixty-three; and shall be and continue in force in all other Places from the First Day of *February* One thousand eight hundred and sixty-three inclusive until the First Day of *February* One thousand eight hundred and sixty-four: Provided always, that this Act shall, from and after the Receipt and Promulgation thereof in General Orders in any Part of Her Majesty's Dominions or elsewhere beyond the Seas, become and be in full Force, anything herein stated to the contrary notwithstanding.

SCHE-

SCHEDULES referred to by the foregoing Act.

NOTICE to be given to a RECRUIT at the Time of his ENLISTMENT.

Date 186 .

A.B.

TAKE Notice, That you enlisted with at o'Clock* on the Day of for the Regiment [*instead of the Words* "for the Regiment," *any Words may be substituted which are applicable to the Case*], and if you do not come to [*here name some Place*] on or before o'Clock* on the Day of for the Purpose of being taken before a Justice, either to be attested or to release yourself from your Engagement by repaying the Enlisting Shilling and any Pay you may have received as a Recruit, and by paying Twenty Shillings as Smart Money, you will be liable to be punished as a Rogue and Vagabond.

You are hereby also warned that you will be liable to the same Punishment if you make any wilfully false Representation at the Time of Attestation.

Signature of the Non-commissioned Officer serving the Notice. }

* A.M. or P.M., as the Case may be.

DECLARATION to be made by RECRUIT on ATTESTATION.

I of the Parish of in or near the Town of in the County of , do solemnly and sincerely declare, That I am to the best of my Knowledge and Belief Years of Age; that I am of the Trade or Calling of [*or* of no Trade or Calling, *as the Case may be*]; that I am not an Apprentice; that I am not married; that I do not belong to the Militia, or to the Naval Coast Volunteers, or to any Portion of Her Majesty's Land or Sea Forces; that I have never served Her Majesty by Land or Sea, in any Military or Naval Employment whatsoever, except ; that I have never been marked with the Letter D; that I have never been rejected as unfit for Her Majesty's Service on any previous Enlistment; that I was enlisted on the Day of 186 , at o'Clock M. by , and that I have read [*or* had read to me] the Notice then given to me and understood its Meaning; that I enlisted for a Bounty of and a free Kit, and have no Objection to make to the Manner of my Enlistment; that I am willing to be attested to serve in the Regiment of [*instead of the Words* "in the Regiment," *any Words may be substituted which are applicable to the Case in or for whatever Part of Her Majesty's Dominions the Enlistment may be made*] for the Term of [*the Blank after the Words* "Term of" *to be filled up with Ten Years for Infantry and Twelve for Cavalry*

Cavalry or Artillery or other Ordnance Corps, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under that Age, then the Difference between his Age and Eighteen is to be added to such Ten or Twelve Years (as the Case may be)], provided Her Majesty should so long require my Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

_____ *Signature of Recruit.*

_____ *Signature of Witness.*

CAP. VIII.

An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore. [18th *April* 1861.]

[*The Sections now printed are either entirely new or have been materially altered.*]

Disposal of Convict after Sentence of Penal Servitude.

27. When any Sentence of Death shall be commuted for Penal Servitude, or when any Marine shall by Court-martial be adjudged to Penal Servitude as authorized by this Act, it shall be lawful for the Commanding Officer of the Division to which such Marine shall have belonged or may belong to cause him to be detained and conveyed to any Gaol or Prison, there to remain in safe Custody until he shall be removed therefrom by due Authority under an Order for his Penal Servitude to be made by some Justice of the Queen's Bench or Common Pleas or Baron of the Exchequer as aforesaid; and that a Certificate of his Sentence, after the same shall have been approved by the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, (such Certificate to be signed by the Commanding Officer of the Division from which he shall be sent,) shall be a sufficient Order, Requisition, and Authority to the Governor, Keeper, or Superintendent of the Gaol or Prison to receive and detain him: Provided always, that in case of any such Offender being so conveyed to Gaol or Prison the usual Allowance of Sixpence *per Diem*, or such other Sum as the said Lord High Admiral or the said Commissioners may at any Time or Times direct, shall be made to the Keeper of the Gaol or Prison for the Subsistence of such Offender during his Detention therein, which Allowance shall be paid by the Paymaster of the Division, upon Production to him, by the said Governor, Keeper, or Superintendent, of a Declaration, to be made by him before One of Her Majesty's Justices of the Peace of such County, of the Number of Days during which the Offender shall have been so detained and subsisted in such Gaol or Prison.

Forfeiture of Pay on Conviction of Desertion or Felony.

33. Every Marine who shall be found guilty by a Court-martial of Desertion, of wilfully maiming or injuring himself or any other Marine, whether at the Instance of such other Marine or not, or of causing himself to be maimed or injured by any other Person, with Intent thereby to render himself or such other Marine unfit for Service, of tampering with his Eyes, with Intent thereby to render himself unfit for Service, such Finding having been confirmed,

tined or found guilty by a Jury of Felony in any Court of ordinary Criminal Jurisdiction in *England* or *Ireland*, or of any Crime or Offence in any Court of Criminal Judicature in any Part of the United Kingdom, or in any Dominion, Territory, Colony, Settlement, or Island belonging to or occupied by Her Majesty out of the United Kingdom, which would, if committed in *England*, amount to Felony, shall thereupon forfeit all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge which might have otherwise accrued from the Length of his former Service, in addition to any Punishment which such Court may award; and every Marine who may be so convicted, or who may be sentenced to Penal Servitude, or discharged with Ignominy, shall thereupon likewise forfeit all Medals which he may be in possession of, whether for Sea or Field Service or for Good Conduct, together with any Annuity or Pension or Gratuity, if any, thereto appertaining; and any Sergeant reduced to the Ranks by Sentence of Court-martial may, by the Order of the same Court, be made to forfeit any Annuity or Pension and Medal for meritorious Service, or any or either of them, which may have been conferred upon him.

Proviso for Removal of Prisoners.

43. In the Case of a Prisoner undergoing Imprisonment under Sentence of a Court-martial, or as Part of commuted Punishment, in any public Prison other than a Military Prison, or in any Gaol or House of Correction or elsewhere, in any Part of the United Kingdom, it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral for the Time being, in all Cases, or for the Officer who confirmed the Proceedings of the Court, or the Officer commanding the Division or the District or Garrison in which such Prisoner may be, to give, as often as Occasion may arise, an Order in Writing directing that the Prisoner be discharged, or be delivered over to Military Custody, whether for the Purpose of being removed to some other Prison or Place in the United Kingdom, there to undergo the Remainder or any Part of his Sentence, or for the Purpose of being brought before a Court-martial either as a Witness or for Trial; and in the Case of a Prisoner undergoing Imprisonment under the Sentence of a Court-martial in any public Prison other than a Military Prison, or in any Gaol or House of Correction, in any Part of Her Majesty's Dominions other than the United Kingdom, it shall be lawful for the said Lord High Admiral or the said Commissioners, or for the Officer commanding the Royal Marines there serving, in the Case of any such Prisoner, to give as often as Occasion may arise an Order in Writing, directing that the Prisoner be discharged, or be delivered over to Military or other Custody, whether for the Purpose of being removed to some other Prison or Place in any Part of Her Majesty's Dominions, there to undergo the Remainder or any Part of his Sentence, or for the Purpose of being brought before a Court-martial, either as a Witness or for Trial; and in the Case of any Prisoner who shall be removed by any such Order from any such Prison, Gaol, or House of Correction, either within the United Kingdom or elsewhere, to some other Prison or Place, either

either in the United Kingdom or elsewhere, the Officer or Authorities who gave such Order shall also give an Order in Writing directing the Governor, Provost Marshal, Gaoler, or Keeper of such other Prison or Place to receive such Prisoner into his Custody, and specifying the Offence of which such Prisoner shall have been convicted, and the Sentence of the Court, and the Period of Imprisonment which he is to undergo, and the Day and the Hour on which he is to be released; and such Governor, Provost Marshal, Gaoler, or Keeper shall keep such Offender in a proper Place of Confinement, with or without Hard Labour, and with or without Solitary Confinement, according to the Sentence of the Court, and during the Time specified in the said Order, or until he be duly discharged or delivered over to Military or other Custody before the Expiration of that Time under an Order duly made for that Purpose; and in the Case of a Prisoner undergoing Imprisonment under the Sentence of a Court-martial in any Military Prison in any Part of Her Majesty's Dominions, the Secretary of State for War, or any Person duly authorized by him in that Behalf, shall have the like Powers in regard to the Discharge and Delivery over of such Prisoners to Military or other Custody as may be lawfully exercised by any of the Authorities above mentioned in respect of any Prisoners undergoing Confinement as aforesaid in any public Prison other than a Military Prison, or in any Gaol or House of Correction in any Part of Her Majesty's Dominions; and such Prisoner in any of the Cases herein-before mentioned shall accordingly, on the Production of any such Order as is herein-before mentioned, be discharged or delivered over, as the Case may be: Provided always, that the Time during which any Prisoner under Sentence of Imprisonment by a Court-martial shall be detained in such Military or other Custody under such Order as aforesaid shall be reckoned as Imprisonment under the Sentence, for whatever Purpose such Detention shall take place, and such Prisoner may during such Time, either when on board Ship or otherwise, be subjected to such Restraint as is necessary for his Detention and Removal.

Expiration of Imprisonment in Common Gaols.

46. Every Gaoler or Keeper of any public Prison, Gaol, House of Correction, or other Place of Confinement, to whom any Notice shall have been given, or who shall have Reason to know or believe that any Person in his Custody for any Debt or Contempt, or upon any Charge or for any Offence, civil, criminal, or military, is a Marine, shall on receiving him into Custody give Notice thereof to the Secretary of the Admiralty, and also, previous to the Expiration of the Period of the Confinement or Imprisonment of such Marine, give to the Secretary of the Admiralty One Month's Notice of the Period of such Expiration of Confinement or Imprisonment, or if there shall not be sufficient Time for a Month's Notice, then the longest practicable Notice thereof, specifying the Day and Hour of the Day on and at which he is to be released; and for every Default of giving either or any of such Notices such Gaoler or Person shall forfeit the Sum of Twenty Pounds; and moreover, every Gaoler or other Person having such immediate Inspection as aforesaid shall, as soon as any such Marine shall

be entitled to be discharged out of Custody, with all convenient Speed, safely and securely conduct and convey and safely and securely deliver every such Marine either unto the Officer commanding at the nearest Head Quarters of the Royal Marines, or to the Officer commanding Her Majesty's Ship to which any such Marine may happen to belong, unless the said Commissioners shall by Writing under the Hand of the Secretary of the Admiralty, or the Officer commanding at the nearest Head Quarters of the Royal Marines, or the Officer commanding Her Majesty's Ship to which any such Marine may belong, shall, by Writing under his Hand, direct that such Marine be delivered to some other Officer or Person, in which Case he shall be delivered to such other Officer or Person accordingly, and the Officer or Person to whom such Marine shall be so delivered in accordance with this Act shall thereupon give to such Gaoler or Person delivering up such Marine a Certificate, directed to the Secretary of the Admiralty, specifying the Receipt of such Marine, and if such Gaoler or other Person as aforesaid has conducted or conveyed any such Marine specifying the Place from and to which he shall have been conducted and conveyed as aforesaid; and such Gaoler or Person who shall have so conducted, conveyed, and delivered any such Marine, shall, upon the Production of such Certificate, be entitled to receive of and from the Accountant General of Her Majesty's Navy the Sum of Two Shillings *per* Mile, and no more, for conducting, conveying, and delivering any such Marine as aforesaid; and every such Gaoler or other Person having such immediate Inspection as aforesaid who shall not safely and securely conduct, convey, or deliver any such Marine as aforesaid, shall for every such Misconduct or Offence forfeit and pay the Sum of One Hundred Pounds.

Military Prisons established under any Act for punishing Mutiny and Desertion in the Army to be deemed public Prisons.

47. Every Military Prison which shall be established under or by virtue of any Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, shall be deemed to be public Prisons within the Meaning of any Act now in force or hereafter to be in force for the Regulation of Her Majesty's Royal Marine Forces; and that any Officer or Marine convicted by a Court-martial may be sent, by Order of the Commissioners for executing the Office of Lord High Admiral, to any such Military Prison, there to undergo such Punishment as may be awarded by the Sentence passed upon him, or until he be discharged or delivered up by an Order, as in the Case of a Discharge or Removal from any other Prison under this Act.

Penalty on Marines attempting to desert from Head Quarters.

52. For and in respect of any Marine attempting to desert from any Head Quarters, the Party or Parties by whom he shall be apprehended shall be entitled to a Reward of Ten Shillings, to be paid upon the delivering up of such Marine, which Sum of Ten Shillings shall be charged against and stopped and retained out of the Pay and Subsistence of every such Marine.

Marines liable to be taken out of Her Majesty's Service only for Felony and cer-

57. Any Person enlisted into Her Majesty's Royal Marine Forces as a Marine, or who has received Marine Enlistment Money, shall be liable to be taken out of Her Majesty's Service only by Process or Execution on account of any Charge of Felony,

tain Misdemeanors, or for Debts amounting to 30*l.* and upwards;

Felony, or on account of Misdemeanor or of any Crime or Offence other than the Misdemeanor of refusing to comply with an Order of Justices for the Payment of Money, or on account of an original Debt proved by Affidavit of the Plaintiff or of some one on his Behalf to amount to the Value of Thirty Pounds at the least over and above all Costs of Suit, such Affidavit to be sworn, without Payment of any Fee, before some Judge of the Court out of which Process or Execution shall issue, or before some Person authorized to take Affidavits in such Court, of which Affidavit, when duly filed in such Court, a Memorandum shall, without Fee, be endorsed upon the Back of such Process, stating the Fact sworn to, and the Day of filing such Affidavit;

but not liable to be taken out of Her Majesty's Service for not maintaining their Families or for Breach of Contract.

but no Marine or other Person as aforesaid shall be liable by any Process whatever to appear before any Justice of the Peace or other Authority whatsoever, or to be taken out of Her Majesty's Service by any Writ, Summons, Order, Warrant, Judgment, Execution, or any Process whatever issued by or by the Authority of any Court of Law, or any Magistrate, Justice or Justices of the Peace, or any other Authority whatsoever, for any original Debt not amounting to Thirty Pounds, or for not supporting or maintaining, or for not having supported or maintained, or for leaving or having left chargeable to any Parish, Township, or Place, or to the Common Fund of any Union, any Relation or Child which such Marine or Person might, if not in Her Majesty's Service be compellable by Law to relieve or maintain, or for neglecting to pay to the Mother of any Bastard Child, or to any Person who may have been appointed to have the Custody of such Child, any Sum to be paid in pursuance of an Order in that Behalf, or for the Breach of any Contract, Covenant, Agreement, or other Engagement whatever, by Parol or in Writing, or for having left or deserted his Employer or Master, or his Contract, Work, or Labour; and all Summonses, Warrants, Commitments, Indictments, Convictions, Judgments, and Sentences, on account of any of the Matters for which it is herein declared that a Marine is not liable to be taken out of Her Majesty's Service, shall be utterly illegal, and null and void to all Intents and Purposes; and any Judge of any such Court may examine into any Complaint made by a Marine or by his Superior Officer, and by Warrant under his Hand discharge such Marine, without Fee, he being shown to have been arrested contrary to the Intent of this Act, and shall award reasonable Costs to such Complainant, who shall have for the Recovery thereof the like Remedy as would have been applicable to the Recovery of any Costs which might have been awarded against the Complainant in any Judgment or Execution as aforesaid, or a Writ of Habeas corpus ad subjiciendum shall be awarded or issued, and the Discharge of any such Marine out of Custody shall be ordered thereupon; provided that any Plaintiff, upon Notice of the Cause of Action first given in Writing to any Marine or left at his last Quarters, may proceed in any Action or Suit to Judgment, and have Execution other than against the Body or Marine Necessaries or Equipments of such Marine: Provided also, that nothing herein contained relating

relating to the leaving or deserting a Master or Employer, or to the Breach of any Contract, Agreement, or Engagement, shall apply to Persons who shall be really and *bonâ fide* Apprentices, duly bound under the Age of Twenty-one Years, as herein prescribed.

When Recruits to be taken before a Justice.

62. Every Person so enlisted as aforesaid shall, within Ninety-six Hours (any intervening *Sunday*, *Christmas Day*, or *Good Friday* not included), but not sooner than Twenty-four Hours after such Enlistment, appear, together with some Person employed in the Recruiting Service, before a Justice of the Peace, not being an Officer of the Marines, in order that he may be attested by making the Declaration and taking the Oath hereinafter mentioned, or may have an Opportunity of objecting to his Enlistment; and previously to such Appearance, some Person employed in the Recruiting Service shall fill up the Declaration set forth in the Schedule to this Act annexed, first asking the Recruit the Questions that are requisite for that Purpose, and explaining him that if he should make any wilfully false Answer thereto he will be liable to be punished as a Rogue and a Vagabond.

Dissent and Relief from Enlistment.

63. When a Recruit, upon appearing before a Justice for the Purposes aforesaid, shall dissent from or object to his Enlistment, and shall satisfy the Justice that the same was effected in any respect irregularly, he shall forthwith discharge the Recruit absolutely, and shall report such Discharge to the Commandant of the Division for which the Marine shall have enlisted; but if the Recruit so dissenting shall not allege or shall not satisfy the Justice that the Enlistment was effected irregularly, nevertheless upon Repayment of the Enlisting Money and of any Sum received by him in respect of Pay, and of a further Sum of Twenty Shillings as Smart Money, he shall be entitled to be discharged; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and, after deducting therefrom One Shilling as the Fee for reporting the Payment to the Secretary of the Admiralty and to the said Commandant, shall be paid over to any Person belonging to the Recruiting Party who may demand the same; and the Justice who shall discharge any Recruit shall, in every Case, give a Certificate thereof, signed with his Hand, to the Recruit, specifying the Cause thereof.

Attesting of Recruits.

64. If the Recruit on appearing before a Justice shall not dissent from his Enlistment, or dissenting shall within Twenty-four Hours return and declare that he is unable to pay the Sums mentioned in the last Section, the Justice shall require him to make the Declaration herein-before mentioned in the usual Manner, and shall then administer to him the Oath of Allegiance in the Form set forth in the Schedule to this Act annexed; and when the Recruit shall have signed the said Declaration and taken the Oath, the Justice shall attest the same by his Signature, and shall deliver to the Recruiting Officer the Declaration so signed and attested, and the Fee for such Attestation, including the Declaration and Oath, shall be One Shilling and no more; and any Recruit shall, if he so wish, be furnished with a certified

a certified Copy of the above-mentioned Declaration by the Officer who finally approved of him for the Service.

Recruits until they have been attested or received Pay not triable by Court-martial, but in certain Cases punishable as Rogues and Vagabonds.

65. No Recruit, unless he shall have been attested or shall have received Pay other than Enlisting Money shall be liable to be tried by Court-martial; but if any Recruit, previously to his being attested, shall by means of any false Answer obtain Enlistment Money, or shall make any false Statement in his Declaration, or shall refuse to answer any Question duly authorized to be put to Recruits for the Purpose of filling up such Declaration, or shall refuse or neglect to go before a Justice for the Purposes aforesaid, or having dissented from his Enlistment shall wilfully omit to return and pay such Money as aforesaid, in any of such Cases it shall be lawful for any Two Justices acting for the County, District, City, Burgh, or Place where any such Recruit shall at any Time happen to be, when he shall be brought before them, if in *England*, to adjudge him to be a Rogue and Vagabond, and to sentence him to be punished accordingly, and if in *Scotland* or *Ireland*, to be imprisoned with Hard Labour in any Prison or House of Correction for any Period not exceeding Three Calendar Months; and any Marine who shall have given any false Answer at the Time of or relative to his becoming a Marine shall forfeit all Pay, Wages, and other Monies, be the same Naval, Marine, or otherwise, which he might otherwise have been entitled to for any Period of Service in the Royal Marines.

Attested Recruits triable in some Cases either before Two Justices or before a Court-martial.

66. Any Recruit who shall have been attested, and who shall afterwards be discovered to have given any wilfully false Answer to any Question directed to be put to Recruits, or shall have made any wilfully false Statement in the Declaration herein-before mentioned, shall be liable at the Discretion of the said Lord High Admiral or the said Commissioners to be proceeded against before Two Justices in the Manner herein-before mentioned, and by them sentenced accordingly, or to be tried by a District or Garrison Court-martial for the same, and punished in such Manner as such Court shall direct.

Recruits absconding.

67. If any Recruit shall abscond so that it is not possible immediately to apprehend and bring him before a Justice for Attestation, the Recruiting Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for that Purpose a Certificate of the Name and Place of Residence, and Description of such Recruit and of his having absconded, and shall declare the same to be true, and the Justice to whom such Certificate shall be produced shall transmit a Duplicate thereof to the Secretary of the Admiralty in order that the same may appear in the *Police Gazette*.

Militiamen enlisting into Regular Forces.

68. If any Man while belonging to a Militia Regiment shall enlist in and be attested for Her Majesty's Royal Marines, he shall be liable to be tried before a Court-martial on a Charge for Desertion; but it shall be lawful for the Secretary of State for War, on the Confession thereof by such Militiaman or on other Proof thereof, to order that in lieu of his being so tried he shall be subjected to a Stoppage of One Penny a Day of his Pay for Eighteen

Eighteen Calendar Months, to be applied as the Secretary of State for War shall direct, and further to determine whether such Man shall be returned to his Militia Regiment after such Sum shall have been made good, or shall be deemed to be a Marine in the same Manner as he would have been if he had not been a Militiaman at the Time of his Attestation, in which latter Case his Service as a Marine shall not be reckoned for Pension until the Day on which his Engagement for the Militia would have expired.

Duration of Act.

99. This Act shall be in force within *Great Britain* from the Twenty-fifth Day of *April* One thousand eight hundred and sixty-one until the Twenty-fifth Day of *April* One thousand eight hundred and sixty-two inclusive; and within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark*, and the *Isle of Man*, and the Islands thereto belonging, from the First Day of *May* One thousand eight hundred and sixty-one until the First Day of *May* One thousand eight hundred and sixty-two inclusive; and within the Garrison of *Gibraltar*, and within the *Mediterranean*, and in *Spain* and *Portugal*, from the Twenty-fifth Day of *July* One thousand eight hundred and sixty-one until the First Day of *August* One thousand eight hundred and sixty-two inclusive; and in all other Parts of *Europe* where Royal Marine Forces may be serving, and the *West Indies* and *North America*, and *Cape of Good Hope*, from the Twenty-fifth Day of *September* One thousand eight hundred and sixty-one until the First Day of *September* One thousand eight hundred and sixty-two inclusive; and in all other Places from the Twenty-fifth Day of *November* One thousand eight hundred and sixty-one until the First Day of *February* One thousand eight hundred and sixty-three inclusive: Provided always, that this Act shall from and after the Receipt and Promulgation thereof, in General Orders in any Part of Her Majesty's Dominions or elsewhere beyond the Seas, become and be in full Force, anything herein contained to the contrary notwithstanding.

SCHEDULE referred to by this Act.

NOTICE to be given to a RECRUIT at the Time of his ENLISTMENT.

Date 186 .

A. B.

TAKE Notice, that you enlisted with at o'Clock* on the Day of for the Royal Marines, and if you do not come forward to [*here name some Place*] on or before o'Clock* on the Day of for the Purpose of being taken before a Justice, either to be attested or to release yourself from your Engagement by repaying the Enlisting Shilling and any Pay you

* At A.M. or P.M., as the Case may be.

may

may have received as a Recruit, and by paying *Twenty Shillings* as Smart Money, you will be liable to be punished as a Rogue and Vagabond.

You are hereby also warned that you will be liable to the same Punishment if you make any wilfully false Representations at the Time of Attestation.

Signature of the Non-Commissioned Officer serving the Notice. } _____

DECLARATION to be made by RECRUIT on ATTESTATION.

I of the Parish of in or near the Town of in the County of , do solemnly and sincerely declare, That I am to the best of my Knowledge and Belief Years of Age; that I am of the Trade or Calling of [*or* of no Trade or Calling, *as the Case may be*]; that I am not an Apprentice; that I am married [*or* not married, *as the Case may be*]; that I do not belong to the Militia, or to the Naval Coast Volunteers, or Royal Naval Volunteers, or to any Portion of Her Majesty's Land or Sea Forces; that I have never served Her Majesty by Land or Sea in any Military, Marine, or Naval Employment whatsoever, except ; that I have never been marked with the Letter D; that I have never been rejected as unfit for Her Majesty's Service on any previous Enlistment; that I was enlisted at on the Day of 186 , at o'Clock M. by of , and that I have read [*or* had read to me] the Notice then given to me and understood its Meaning; that I enlisted for a Bounty of and a free Kit [*as the Case may be*], and have no Objection to make to the Manner of my Enlistment; that I am willing to be attested to serve in the Royal Marines for the Term of [*the Blank after the Words* "Term of" *to be filled up with Twelve Years, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under that Age, then the Difference between his Age and Eighteen is to be added to such Twelve Years*], provided Her Majesty should so long require my Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

_____ *Signature of Recruit.*
_____ *Signature of Witness.*

OATH to be taken by a RECRUIT on ATTESTATION.

I do make Oath, That I will be faithful and bear true Allegiance to Her Majesty, Her Heirs and Successors; and that I will, as in Duty bound, honestly and faithfully defend Her Majesty, Her Heirs and Successors, in Person, Crown, and Dignity, against all Enemies, and will observe and obey all Orders of Her Majesty,

Majesty, Her Heirs and Successors, and of the Generals and Officers set over me.

So help me GOD.

Witness my Hand,

_____ *Signature of the Recruit.*

_____ *Witness present.*

Declared and sworn before me at
this Day of One
thousand eight hundred and
at o'Clock.

_____ *Signature of the Justice.*

CAP. IX.

An Act to amend the Law relating to the Conveyance of Land for Charitable Uses. [17th *May* 1861.]

'WHEREAS by an Act passed in the Ninth Year of the Reign of His late Majesty King *George* the Second, and intituled *An Act to restrain the Disposition of Lands whereby the same become inalienable*, it was amongst other things enacted, that no Lands or other Hereditaments should be given, granted, or anyways conveyed, settled, or charged for Charitable Uses, unless such Gift, Conveyance, or Settlement should be made by Deed indented and enrolled, sealed and delivered in the Presence of Two or more credible Witnesses Twelve Calendar Months at least before the Death of such Donor or Grantor, and should be enrolled in the High Court of Chancery within Six Calendar Months next after the Execution thereof, and unless the same should be made to take effect in possession for the Charitable Use intended immediately from the making thereof, and should be without any Power of Revocation, Reservation, Trust, Condition, Limitation, Clause, or Agreement whatsoever for the Benefit of the Donor or Grantor, or of any Person claiming under him: And whereas by another Act passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, and intituled *An Act for remedying a Defect in the Titles of Lands purchased for Charitable Purposes*, it was enacted, that where any Lands, Tenements, or Hereditaments had been purchased for a full and valuable Consideration for Charitable Uses, and such Consideration had been actually paid, every Deed or other Assurance then already made for the Purpose of conveying or assuring the same should (subject as in the now-reciting Act mentioned) be as good and valid in all respects as if the several Formalities by the said first-recited Act prescribed had been duly observed and performed: And whereas Doubts have been entertained with reference to the Assurance for Charitable Uses of Hereditaments of Copyhold or Customary Tenure: And whereas it is expedient to make Provision for further remedying Defects and obviating Doubts and Difficulties, and as to Enrolment in regard to Deeds and Assurances of Hereditaments conveyed for Charitable Uses in manner herein-after provided:' Be it therefore enacted by the Queen's most

9 G. 2. c. 36.

9 G. 4. c. 85.

most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

No future Deed, &c. for Charitable Uses to be void by reason of not being indented, or of specified Stipulations for Donor's Benefit, or (as to Copyholds) for Want of Deed.

1. No Deed or Assurance hereafter to be made for any Charitable Uses whatsoever of any Hereditaments of any Tenure whatsoever, or of any Estate or Interest therein, shall be deemed to be null and void within the Meaning of the first-recited Act by reason of such Deed or Assurance not being indented, or not purporting to be indented, nor by reason of such Deed or Assurance, or any Deed forming Part of the same Transaction, containing any Grant or Reservation of any Peppercorn or other nominal Rent, or of any Mines or Minerals, or Easement, or any Covenants or Provisions as to the Erection, Repair, Position, or Description of Buildings, the Formation or Repair of Streets or Roads, Drainage or Nuisances, or any Covenants or Provisions of the like Nature for the Use and Enjoyment as well of the Hereditaments comprised in such Deed or Assurance as of any other adjacent or neighbouring Hereditaments, or any Right of Entry on Nonpayment of any such Rent, or on Breach of any such Covenant or Provision, or any Stipulations of the like Nature for the Benefit of the Donor or Grantor, or of any Person or Persons claiming under him, nor (in the Case of any such Assurance of Hereditaments of Copyhold or Customary Tenure, or of any Estate or Interest therein,) by reason of the same not being made by Deed, nor in the Case of such Assurances made *bonâ fide* on a Sale for a full and valuable Consideration, by reason of such Consideration consisting wholly or partly of a Rent, Rentcharge, or other annual Payment reserved or made payable to the Vendor or to any other Person with or without a Right of Re-entry for Nonpayment thereof: Provided always, that in all Reservations authorized by this Act the Donor, Grantor, or Vendor shall reserve the same Benefits for his Representatives as for himself.

Where Charitable Uses of any future Deed, &c. is declared by any separate or other Deed, &c., Enrolment of such separate or other Deed, &c. requisite.

2. In all Cases where the Charitable Uses of any Deed or Assurance hereafter to be made for Conveyance of any Hereditaments for any Charitable Uses shall be declared by any separate or other Deed or Instrument, it shall not be necessary, for the Purposes of the first-recited Act or of this Act, to enrol such Deed or Assurance for Conveyance; but every such Deed or Assurance for Conveyance shall nevertheless be absolutely null and void unless such separate or other Deed or Instrument shall within Six Calendar Months next after the making or perfecting of such Deed or Assurance for Conveyance be enrolled in Her Majesty's High Court of Chancery, and such Enrolment as last aforesaid shall be deemed and treated for all Purposes of the first-recited Act and of this Act as if such Deed or Assurance for Conveyance had declared such Charitable Uses, and had been so enrolled as last aforesaid.

No past Deed, &c. for Charitable Uses upon valuable Consi-

3. No Deed or Assurance heretofore made and under which Possession is now held for any Charitable Uses whatsoever of any Hereditaments of any Tenure whatsoever, or of any Estate or Interest

Interest therein, made really and *bonâ fide* for a full and valuable Consideration actually paid at or before the making or perfecting such Deed or Assurance, or reserved by way of Rent, Rentcharge, or other annual Payment, or partly paid at or before the making or perfecting such Deed or Assurance and partly reserved as aforesaid, without Fraud or Collusion, shall for any Reason whatever be deemed to be null and void within the Meaning of the first-recited Act, if such Deed or Assurance was made to take effect in possession for the Charitable Uses intended immediately from the making thereof, and without any Power of Revocation, and has been at any Time prior to the passing of this Act, or shall be within Twelve Calendar Months next after the passing of this Act, enrolled in Her Majesty's High Court of Chancery.

deration to be void for any Reason if enrolled in Chancery.

4. In all Cases where the Charitable Uses of any Deed or Assurance heretofore made for Conveyance of any Hereditaments for any Charitable Uses upon such full and valuable Consideration as aforesaid, and under which Possession is now held for such Uses, have been declared by any separate or other Deed or Instrument, and such Deed or Assurance for Conveyance has not been enrolled in Her Majesty's High Court of Chancery prior to the passing of this Act, but such separate or other Deed or Instrument has been so enrolled, such Enrolment shall be deemed and treated for all Purposes of the first-recited Act and of this Act as if such Deed or Assurance for Conveyance had declared such Charitable Uses, and had been so enrolled as last aforesaid; but if neither of such Deeds nor such Instrument has been so enrolled, then it shall not be necessary for the Purposes of the first-recited Act or of this Act to enrol such Deed or Assurance for Conveyance, but every such Deed or Assurance for Conveyance shall nevertheless be absolutely and to all Intents and Purposes null and void, unless such separate or other Deed or Instrument shall within Twelve Calendar Months next after the passing of this Act be so enrolled; and such Enrolment as last aforesaid shall be deemed and treated for all Purposes of the first-recited Act and of this Act as if such Deed or Assurance for Conveyance had declared such Charitable Uses, and had been so enrolled as last aforesaid.

Where Charitable Uses of past Deed, &c. not enrolled are declared by other Deed, &c., Enrolment of latter sufficient.

Where neither Deed, &c. is enrolled, Enrolment of such separate or other Deed, &c. requisite.

5. Nothing in this Act contained shall extend to render null and void or in any Manner to affect or apply to any Deed already good and valid by virtue of the secondly-recited Act or of any other Act, or to give Effect to any Deed or Assurance heretofore made so far as such Deed or Assurance has already been avoided by any Suit at Law or in Equity, or by any other legal or equitable Means whatsoever, or to affect or prejudice any Suit at Law or in Equity actually commenced for avoiding any such Deed or Assurance, or for defeating the Charitable Uses in trust or for the Benefit of which such Deed or Assurance has been made; and no Deed, Assurance, or Instrument Thirty Years old, nor any Deed, Assurance, or Instrument heretofore executed, as to which it shall be proved to the Satisfaction of the Clerk of Enrolments in Chancery that the Acknowledgment thereof by

Act not to invalidate certain Deeds, nor to extend to Deeds, &c. already avoided, or to pending Suits.

When Acknowledgment not necessary.

the Grantor of the Lands or Hereditaments to which the same relates cannot be obtained within Twelve Calendar Months after the passing of this Act, shall for the Purposes of the first-recited Act or of this Act require Acknowledgment prior to Enrolment.

Act not to extend to Scotland or Ireland, nor to prejudice Two Universities, &c.

6. Nothing in this Act contained shall extend or be construed to extend to the Disposition, Grant, or Settlement of any Property or Estate lying or being in *Scotland* or in *Ireland*, nor to make void any Dispositions made or to be made to or in trust for either of the Two Universities, or any of the Colleges or Houses of Learning within either of such Universities, in the first-recited Act mentioned, or to or in trust for the Colleges of *Eton*, *Winchester*, or *Westminster*, or any or either of them, for the better Support and Maintenance of Scholars only upon the Foundation of the said Colleges of *Eton*, *Winchester*, and *Westminster*.

CAP. X.

An Act to extend the Jurisdiction and improve the Practice of the High Court of Admiralty. [17th *May* 1861.]

'WHEREAS it is expedient to extend the Jurisdiction and 'improve the Practice of the High Court of Admiralty of '*England*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The Admiralty Court Act, 1861."

Interpretation of Terms.

2. In the Interpretation and for the Purposes of this Act (if not inconsistent with the Context or Subject) the following Terms shall have the respective Meanings herein-after assigned to them; that is to say,

"Ship" shall include any Description of Vessel used in Navigation not propelled by Oars:

"Cause" shall include any Cause, Suit, Action, or other Proceeding in the Court of Admiralty.

Commencement of Act.

3. This Act shall come into operation on the First Day of *June* One thousand eight hundred and sixty-one.

As to Claims for building, equipping, &c. Ships.

4. The High Court of Admiralty shall have Jurisdiction over any Claim for the building, equipping, or repairing of any Ship, if at the Time of the Institution of the Cause the Ship or the Proceeds thereof are under Arrest of the Court.

As to Claims for Necessaries.

5. The High Court of Admiralty shall have Jurisdiction over any Claim for Necessaries supplied to any Ship elsewhere than in the Port to which the Ship belongs, unless it is shown to the Satisfaction of the Court that at the Time of the Institution of the Cause any Owner or Part Owner of the Ship is domiciled in *England* or *Wales*: Provided always, that if in any such Cause the Plaintiff do not recover Twenty Pounds he shall not be entitled to any Costs, Charges, or Expenses incurred by him therein, unless the Judge shall certify that the Cause was a fit one to be tried in the said Court.

6. The

Admiralty Court Jurisdiction.

As to Claims for Damage to Cargo imported.

6. The High Court of Admiralty shall have Jurisdiction over any Claim by the Owner or Consignee or Assignee of any Bill of Lading of any Goods carried into any Port in *England* or *Wales* in any Ship, for Damage done to the Goods or any Part thereof by the Negligence or Misconduct of or for any Breach of Duty or Breach of Contract on the Part of the Owner, Master, or Crew of the Ship, unless it is shown to the Satisfaction of the Court that at the Time of the Institution of the Cause any Owner or Part Owner of the Ship is domiciled in *England* or *Wales:* Provided always, that if in any such Cause the Plaintiff do not recover Twenty Pounds he shall not be entitled to any Costs, Charges, or Expenses incurred by him therein, unless the Judge shall certify that the Cause was a fit one to be tried in the said Court.

As to Claims for Damage by any Ship.

7. The High Court of Admiralty shall have Jurisdiction over any Claim for Damage done by any Ship.

High Court of Admiralty to decide Questions as to Ownership, &c. of Ships.

8. The High Court of Admiralty shall have Jurisdiction to decide all Questions arising between the Co-owners, or any of them, touching the Ownership, Possession, Employment, and Earnings of any Ship registered at any Port in *England* or *Wales*, or any Share thereof, and may settle all Accounts outstanding and unsettled between the Parties in relation thereto, and may direct the said Ship or any Share thereof to be sold, and may make such Order in the Premises as to it shall seem fit.

Extending 17 & 18 Vict. c. 104. as to Claims for Salvage of Life.

9. All the Provisions of "The Merchant Shipping Act, 1854," in regard to Salvage of Life from any Ship or Boat within the Limits of the United Kingdom, shall be extended to the Salvage of Life from any *British* Ship or Boat, wheresoever the Services may have been rendered, and from any Foreign Ship or Boat, where the Services have been rendered either wholly or in part in *British* Waters.

As to Claims for Wages and for Disbursements by Master of a Ship.

10. The High Court of Admiralty shall have Jurisdiction over any Claim by a Seaman of any Ship for Wages earned by him on board the Ship, whether the same be due under a special Contract or otherwise, and also over any Claim by the Master of any Ship for Wages earned by him on board the Ship, and for Disbursements made by him on account of the Ship: Provided always, that if in any such Cause the Plaintiff do not recover Fifty Pounds, he shall not be entitled to any Costs, Charges, or Expenses incurred by him therein, unless the Judge shall certify that the Cause was a fit one to be tried in the said Court.

3 & 4 Vict. c. 65. as to Mortgages extended to Admiralty Court.

11. The High Court of Admiralty shall have Jurisdiction over any Claim in respect of any Mortgage duly registered according to the Provisions of "The Merchant Shipping Act, 1854," whether the Ship or the Proceeds thereof be under Arrest of the said Court or not.

17 & 18 Vict. c. 104. ss. 62 to 65. extended.

12. The High Court of Admiralty shall have the same Powers over any *British* Ship, or any Share therein, as are conferred upon the High Court of Chancery in *England* by the Sixty-second, Sixty-third, Sixty-fourth, and Sixty-fifth Sections of "The Merchant Shipping Act, 1854."

13. Whenever

the Grantor of the Lands or Hereditaments to which the same relates cannot be obtained within Twelve Calendar Months after the passing of this Act, shall for the Purposes of the first-recited Act or of this Act require Acknowledgment prior to Enrolment.

Act not to extend to Scotland or Ireland, nor to prejudice Two Universities, &c.

6. Nothing in this Act contained shall extend or be construed to extend to the Disposition, Grant, or Settlement of any Property or Estate lying or being in *Scotland* or in *Ireland*, nor to make void any Dispositions made or to be made to or in trust for either of the Two Universities, or any of the Colleges or Houses of Learning within either of such Universities, in the first-recited Act mentioned, or to or in trust for the Colleges of *Eton*, *Winchester*, or *Westminster*, or any or either of them, for the better Support and Maintenance of Scholars only upon the Foundation of the said Colleges of *Eton*, *Winchester*, and *Westminster*.

CAP. X.

An Act to extend the Jurisdiction and improve the Practice of the High Court of Admiralty. [17th *May* 1861.]

'WHEREAS it is expedient to extend the Jurisdiction and 'improve the Practice of the High Court of Admiralty of '*England*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The Admiralty Court Act, 1861."

Interpretation of Terms.

2. In the Interpretation and for the Purposes of this Act (if not inconsistent with the Context or Subject) the following Terms shall have the respective Meanings herein-after assigned to them; that is to say,

"Ship" shall include any Description of Vessel used in Navigation not propelled by Oars:

"Cause" shall include any Cause, Suit, Action, or other Proceeding in the Court of Admiralty.

Commencement of Act.

3. This Act shall come into operation on the First Day of *June* One thousand eight hundred and sixty-one.

As to Claims for building, equipping, &c. Ships.

4. The High Court of Admiralty shall have Jurisdiction over any Claim for the building, equipping, or repairing of any Ship, if at the Time of the Institution of the Cause the Ship or the Proceeds thereof are under Arrest of the Court.

As to Claims for Necessaries.

5. The High Court of Admiralty shall have Jurisdiction over any Claim for Necessaries supplied to any Ship elsewhere than in the Port to which the Ship belongs, unless it is shown to the Satisfaction of the Court that at the Time of the Institution of the Cause any Owner or Part Owner of the Ship is domiciled in *England* or *Wales*: Provided always, that if in any such Cause the Plaintiff do not recover Twenty Pounds he shall not be entitled to any Costs, Charges, or Expenses incurred by him therein, unless the Judge shall certify that the Cause was a fit one to be tried in the said Court.

6. The

Admiralty Court Jurisdiction.

As to Claims for Damage to Cargo imported.

6. The High Court of Admiralty shall have Jurisdiction over any Claim by the Owner or Consignee or Assignee of any Bill of Lading of any Goods carried into any Port in *England* or *Wales* in any Ship, for Damage done to the Goods or any Part thereof by the Negligence or Misconduct of or for any Breach of Duty or Breach of Contract on the Part of the Owner, Master, or Crew of the Ship, unless it is shown to the Satisfaction of the Court that at the Time of the Institution of the Cause any Owner or Part Owner of the Ship is domiciled in *England* or *Wales:* Provided always, that if in any such Cause the Plaintiff do not recover Twenty Pounds he shall not be entitled to any Costs, Charges, or Expenses incurred by him therein, unless the Judge shall certify that the Cause was a fit one to be tried in the said Court.

As to Claims for Damage by any Ship.

7. The High Court of Admiralty shall have Jurisdiction over any Claim for Damage done by any Ship.

High Court of Admiralty to decide Questions as to Ownership, &c. of Ships.

8. The High Court of Admiralty shall have Jurisdiction to decide all Questions arising between the Co-owners, or any of them, touching the Ownership, Possession, Employment, and Earnings of any Ship registered at any Port in *England* or *Wales*, or any Share thereof, and may settle all Accounts outstanding and unsettled between the Parties in relation thereto, and may direct the said Ship or any Share thereof to be sold, and may make such Order in the Premises as to it shall seem fit.

Extending 17 & 18 Vict. c. 104. as to Claims for Salvage of Life.

9. All the Provisions of "The Merchant Shipping Act, 1854," in regard to Salvage of Life from any Ship or Boat within the Limits of the United Kingdom, shall be extended to the Salvage of Life from any *British* Ship or Boat, wheresoever the Services may have been rendered, and from any Foreign Ship or Boat, where the Services have been rendered either wholly or in part in *British* Waters.

As to Claims for Wages and for Disbursements by Master of a Ship.

10. The High Court of Admiralty shall have Jurisdiction over any Claim by a Seaman of any Ship for Wages earned by him on board the Ship, whether the same be due under a special Contract or otherwise, and also over any Claim by the Master of any Ship for Wages earned by him on board the Ship, and for Disbursements made by him on account of the Ship: Provided always, that if in any such Cause the Plaintiff do not recover Fifty Pounds, he shall not be entitled to any Costs, Charges, or Expenses incurred by him therein, unless the Judge shall certify that the Cause was a fit one to be tried in the said Court.

3 & 4 Vict. c. 65. as to Mortgages extended to Admiralty Court.

11. The High Court of Admiralty shall have Jurisdiction over any Claim in respect of any Mortgage duly registered according to the Provisions of "The Merchant Shipping Act, 1854," whether the Ship or the Proceeds thereof be under Arrest of the said Court or not.

17 & 18 Vict. c. 104. ss. 62 to 65. extended.

12. The High Court of Admiralty shall have the same Powers over any *British* Ship, or any Share therein, as are conferred upon the High Court of Chancery in *England* by the Sixty-second, Sixty-third, Sixty-fourth, and Sixty-fifth Sections of "The Merchant Shipping Act, 1854."

13. Whenever

Masters at Common Law.

Arbitrators, shall be possessed by the Judge of the High Court of Admiralty in all Causes and Matters depending in the said Court, and the Registrar of the said Court of Admiralty shall possess as to such Matters the same Powers as are possessed by the Masters of the said Superior Courts of Common Law in relation thereto.

17 & 18 Vict. c. 104. s. 15. extended to Registrar of Court.

24. The Registrar of the High Court of Admiralty shall have the same Powers under the Fifteenth Section of the Merchant Shipping Act, 1854, as are by the said Section conferred on the Masters of Her Majesty's Court of Queen's Bench in *England* and *Ireland*.

Powers of Registrar and of Deputy or Assistant Registrar.

25. The Registrar of the High Court of Admiralty may exercise, with reference to Causes and Matters in the said Court, the same Powers as any Surrogate of the Judge of the said Court sitting in Chambers might or could have heretofore lawfully exercised; and all Powers and Authorities by this or any other Act conferred upon or vested in the Registrar of the said High Court of Admiralty may be exercised by any Deputy or Assistant Registrar of the said Court.

False Oath or Affirmation deemed Perjury.

26. The Registrar of the said Court of Admiralty shall have Power to administer Oaths in relation to any Cause or Matter depending in the said Court; and any Person who shall wilfully depose or affirm falsely in any Proceeding before the Registrar or before any Deputy or Assistant Registrar of the said Court, or before any Person authorized to administer Oaths in the said Court, shall be deemed to be guilty of Perjury, and shall be liable to all the Pains and Penalties attaching to wilful and corrupt Perjury.

Appointment of Registrar, &c.

27. Any Advocate, Barrister-at-Law, Proctor, Attorney, or Solicitor of Ten Years Standing may be appointed Registrar or Assistant or Deputy Registrar of the said Court.

Appointment of Examiners.

28. Any Advocate, Barrister-at-Law, Proctor, Attorney, or Solicitor may be appointed an Examiner of the High Court of Admiralty.

Stamp Duty not payable on subsequent Admissions, &c.

29. Any Person who shall have paid on his Admission in any Court as a Proctor, Solicitor, or Attorney the full Stamp Duty of Twenty-five Pounds, and who has been or shall hereafter be admitted a Proctor, Solicitor, or Attorney, (if in other respects entitled to be so admitted,) shall be liable to no further Stamp Duty in respect of such subsequent Admission.

Proctor may act as Agent of Solicitors.

30. Any Proctor of the High Court of Admiralty may act as Agent of any Attorney or Solicitor, and allow him to participate in the Profits of and incident to any Cause or Matter depending in or connected with the said Court; and nothing contained in the Act of the Fifty-fifth Year of the Reign of King *George* the Third, Chapter One hundred and sixty, shall be construed to extend to prevent any Proctor from so doing, or to render him liable to any Penalty in respect thereof.

2 Hen. 4. c. 11. repealed.

31. The Act passed in the Second Year of the Reign of King *Henry* the Fourth, intituled *A Remedy for him who is wrongfully pursued in the Court of Admiralty*, is hereby repealed.

Power of Appeal in interlocutory Matters.

32. Any Party aggrieved by any Order or Decree of the Judge of the said Court of Admiralty, whether made *ex parte* or

or otherwise, may, with the Permission of the Judge, appeal therefrom to Her Majesty in Council, as fully and effectually as from any final Decree or Sentence of the said Court.

Bail given in the Court of Admiralty good in the Court of Appeal.

33. In any Cause in the High Court of Admiralty Bail may be taken to answer the Judgment as well of the said Court as of the Court of Appeal, and the said High Court of Admiralty may withhold the Release of any Property under its Arrest until such Bail has been given; and in any Appeal from any Decree or Order of the High Court of Admiralty the Court of Appeal may make and enforce its Order against the Surety or Sureties who may have signed any such Bail Bond in the same Manner as if the Bail had been given in the Court of Appeal.

As to the hearing of Causes and Cross Causes.

34. The High Court of Admiralty may, on the Application of the Defendant in any Cause of Damage, and on his instituting a Cross Cause for the Damage sustained by him in respect of the same Collision, direct that the Principal Cause and the Cross Cause be heard at the same Time and upon the same Evidence; and if in the Principal Cause the Ship of the Defendant has been arrested or Security given by him to answer Judgment, and in the Cross Cause the Ship of the Plaintiff cannot be arrested, and Security has not been given to answer Judgment therein, the Court may, if it think fit, suspend the Proceedings in the Principal Cause, until Security has been given to answer Judgment in the Cross Cause.

Jurisdiction of the Court.

35. The Jurisdiction conferred by this Act on the High Court of Admiralty may be exercised either by Proceedings *in rem* or by Proceedings *in personam*.

CAP. XI.

An Act to afford Facilities for the better Ascertainment of the Law of Foreign Countries when pleaded in Courts within Her Majesty's Dominions. [17th *May* 1861.]

'WHEREAS an Act was passed in the Twenty-second and Twenty-third Years of Her Majesty's Reign, intituled '*An Act to afford Facilities for the more certain Ascertainment of the Law administered in one Part of Her Majesty's Dominions when pleaded in the Courts of another Part thereof*': And whereas it is expedient to afford the like Facilities for the better Ascertainment, in similar Circumstances, of the Law of any Foreign Country or State with the Government of which Her Majesty may be pleased to enter into a Convention for the Purpose of mutually ascertaining the Law of such Foreign Country or State when pleaded in Actions depending in any Courts within Her Majesty's Dominions and the Law as administered in any Part of Her Majesty's Dominions when pleaded in Actions depending in the Courts of such Foreign Country or State:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; viz., 22 & 23 Vict. c. 63.

1. If,

Superior Courts within Her Majesty's Dominions may remit a Case, with Queries, to a Court of any Foreign State with which Her Majesty may have made a Convention for that Purpose, for Ascertainment of Law of such State.

1. If, in any Action depending in any of the Superior Courts within Her Majesty's Dominions it shall be the Opinion of such Court that it is necessary or expedient, for the Disposal of such Action, to ascertain the Law applicable to the Facts of the Case as administered in any Foreign State or Country with the Government of which Her Majesty shall have entered into such Convention as aforesaid, it shall be competent to the Court in which such Action may depend to direct a Case to be prepared setting forth the Facts as these may be ascertained by Verdict of Jury or other Mode competent, or as may be agreed upon by the Parties, or settled by such Person or Persons as may have been appointed by the Court for that Purpose in the event of the Parties not agreeing; and upon such Case being approved of by such Court or a Judge thereof, such Court or Judge shall settle the Questions of Law arising out of the same on which they desire to have the Opinion of another Court, and shall pronounce an Order remitting the same, together with the Case, to such Superior Court in such Foreign State or Country as shall be agreed upon in said Convention, whose Opinion is desired upon the Law administered by such Foreign Court as applicable to the Facts set forth in such Case, and requesting them to pronounce their Opinion on the Questions submitted to them; and upon such Opinion being pronounced, a Copy thereof, certified by an Officer of such Court, shall be deemed and held to contain a correct Record of such Opinion.

Court in which Action depends to apply such Opinion to the Facts set forth in Cases, &c.

2. It shall be competent to any of the Parties to the Action, after having obtained such certified Copy of such Opinion, to lodge the same with the Officer of the Court within Her Majesty's Dominions in which the Action may be depending who may have the official Charge thereof, together with a Notice of Motion setting forth that the Party will, on a certain Day named in such Notice, move the Court to apply the Opinion contained in such certified Copy thereof to the Facts set forth in the Case hereinbefore specified, and the said Court shall thereupon, if it shall see fit, apply such Opinion to such Facts, in the same Manner as if the same had been pronounced by such Court itself upon a Case reserved for Opinion of the Court, or upon Special Verdict of a Jury; or the said last-mentioned Court shall, if it think fit, when the said Opinion has been obtained before Trial, order such Opinion to be submitted to the Jury with the other Facts of the Case as conclusive Evidence of the Foreign Law therein stated, and the said Opinion shall be so submitted to the Jury: Provided always, that if after having obtained such certified Copy the Court shall not be satisfied that the Facts had been properly understood by the Foreign Court to which the Case was remitted, or shall on any Ground whatsoever be doubtful whether the Opinion so certified does correctly represent the Foreign Law as regards the Facts to which it is to be applied, it shall be lawful for such Court to remit the said Case, either with or without Alterations or Amendments, to the same or to any other such Superior Court in such Foreign State as aforesaid, and so from Time to Time as may be necessary or expedient.

3. If

Courts in Her Majesty's Dominions may pronounce Opinion on Case remitted by a Foreign Court.

3. If in any Action depending in any Court of a Foreign Country or State with whose Government Her Majesty shall have entered into a Convention as above set forth, such Court shall deem it expedient to ascertain the Law applicable to the Facts of the Case as administered in any Part of Her Majesty's Dominions, and if the Foreign Court in which such Action may depend shall remit to the Court in Her Majesty's Dominions whose Opinion is desired a Case setting forth the Facts and the Questions of Law arising out of the same on which they desire to have the Opinion of a Court within Her Majesty's Dominions, it shall be competent to any of the Parties to the Action to present a Petition to such last-mentioned Court, whose Opinion is to be obtained, praying such Court to hear Parties or their Counsel, and to pronounce their Opinion thereon in Terms of this Act, or to pronounce their Opinion without hearing Parties or Counsel; and the Court to which such Petition shall be presented shall consider the same, and, if they think fit, shall appoint an early Day for hearing Parties or their Counsel on such Case, and shall pronounce their Opinion upon the Questions of Law as administered by them which are submitted to them by the Foreign Court; and in order to their pronouncing such Opinion they shall be entitled to take such further Procedure thereupon as to them shall seem proper, and upon such Opinion being pronounced a Copy thereof, certified by an Officer of such Court, shall be given to each of the Parties to the Action by whom the same shall be required.

Interpretation of Terms.

4. In the Construction of this Act the Word "Action" shall include every judicial Proceeding instituted in any Court, Civil, Criminal, or Ecclesiastical; and the Words "Superior Courts" shall include, in *England*, the Superior Courts of Law at *Westminster*, the Lord Chancellor, the Lords Justices, the Master of the Rolls, or any Vice-Chancellor, the Judge of the Court of Admiralty, the Judge Ordinary of the Court for Divorce and Matrimonial Causes, and the Judge of the Court of Probate; in *Scotland* the High Court of Justiciary, and the Court of Session, acting by either of its Divisions; in *Ireland*, the Superior Courts of Law at *Dublin*, the Master of the Rolls, and the Judge of the Admiralty Court; and in any other Part of Her Majesty's Dominions, the Superior Courts of Law or Equity therein; and in a Foreign Country or State, any Superior Court or Courts which shall be set forth in any such Convention between Her Majesty and the Government of such Foreign Country or State.

CAP. XII.

An Act for the Abolition of Contributions by Counties for the Relief of Prisoners in the Queen's Prison, and for the Benefit of *Bethlehem Hospital*. [17th *May* 1861.]

53 G. 3. c. 113.

WHEREAS by an Act passed in the Fifty-third Year of the Reign of King *George* the Third, intituled *An Act for providing Relief for the poor Prisoners confined in the King's*

'*King's Bench, Fleet, and Marshalsea Prisons*, Provision is 'made for Payment of several Sums of Money by the Treasurers 'of the several Counties and Divisions of Counties mentioned in 'the Schedule annexed to the said Act, in part to the Treasurer 'of the County of *Surrey* for the Relief of the Prisoners con- 'fined in the King's Bench and Marshalsea Prisons, and in part 'to the Treasurer or Chamberlain of the City of *London* for 'the Relief of the Prisoners confined in the Fleet Prison; and 'it is by the said Act further enacted, that any Surplus that 'might remain of the several Sums of Money so to be paid as 'aforesaid, after relieving the Prisoners confined in the said 'Prisons, according to the Directions therein mentioned, should 'be paid by them to the Treasurer for the Time being of *Bethlem* '*Hospital* for the Relief and Benefit of the said Hospital: And 'whereas by an Act passed in the Session holden in the Fifth 'and Sixth Years of the Reign of Her present Majesty, Chapter 5 & 6 Vict. c. 22. 'Twenty-two, and intituled *An Act for consolidating the* '*Queen's Bench, Fleet, and Marshalsea Prisons, and for regu-* '*lating the Queen's Prison*, the Fleet and Marshalsea Prisons 'were abolished, and by the Eighth Section of the said Act all 'Monies provided by the said first-mentioned Act to be paid for 'the Relief of Prisoners confined in the King's Bench, Fleet, and 'Marshalsea Prisons were directed to be paid to the Marshal 'or Keeper of the Queen's Prison, without Prejudice to the 'Right of *Bethlem Hospital* to receive any Surplus that might 'remain after relieving the poor Prisoners in the Queen's 'Prison: And whereas it is expedient that the Contributions 'by the said Acts directed to be made by the several above- 'mentioned Counties and Divisions of Counties for the Relief 'of poor Prisoners and for the Benefit of *Bethlem Hospital* 'should be abolished:' Be it enacted by the Queen's most Ex- cellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

53 G. 3. c. 113. and Sect. 8. of 5 & 6 Vict. c. 22. repealed.

1. The said Act passed in the Fifty-third Year of the Reign of King *George* the Third, Chapter One hundred and thirteen, and the said Eighth Section of the Act passed in the Session holden in the Fifth and Sixth Years of the Reign of Her present Majesty, Chapter Twenty-two, shall be repealed, and all Contributions required to be made by Counties or Divisions of Counties, in pursuance of the aforesaid Provisions, shall hence- forth cease.

CAP. XIII.

An Act to enable the Admiralty to acquire Property for the Enlargement of the Royal Marine Barracks in the Parish of *East Stonehouse* in the County of *Devon*.

[17th *May* 1861.]

CAP.

Post Office Savings Banks.

CAP. XIV.

An Act to grant additional Facilities for depositing small Savings at Interest, with the Security of the Government for due Repayment thereof. [17th *May* 1861.]

'WHEREAS it is expedient to enlarge the Facilities now 'available for the Deposit of small Savings, and to make 'the General Post Office available for that Purpose, and to give 'the direct Security of the State to every such Depositor for 'Repayment of all Monies so deposited by him, together with 'the Interest due thereon:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Postmaster General may direct Officers to receive Deposits.

1. It shall be lawful for the Postmaster General, with the Consent of the Commissioners of Her Majesty's Treasury, to authorize and direct such of his Officers as he shall think fit to receive Deposits for Remittance to the Principal Office, and to repay the same, under such Regulations as he, with the Concurrence of the Commissioners of Her Majesty's Treasury, may prescribe in that respect.

Legal Title of Depositor to Repayment.

2. Every Deposit received by any Officer of the Postmaster General appointed for that Purpose shall be entered by him at the Time in the Depositor's Book, and the Entry shall be attested by him and by the dated Stamp of his Office, and the Amount of such Deposit shall upon the Day of such Receipt be reported by such Officer to the Postmaster General, and the Acknowledgment of the Postmaster General, signified by the Officer whom he shall appoint for the Purpose, shall be forthwith transmitted to the Depositor, and the said Acknowledgment shall be conclusive Evidence of his Claim to the Repayment thereof, with the Interest thereon, upon Demand made by him on the Postmaster General; and, in order to allow a reasonable Time for the Receipt of the said Acknowledgment, the Entry by the proper Officer in the Depositor's Book shall also be conclusive Evidence of Title for Ten Days from the Lodgment of the Deposit; and if the said Acknowledgment shall not have been received by the Depositor through the Post within Ten Days, and he shall before or upon the Expiry thereof, demand the said Acknowledgment from the Postmaster General, then the Entry in his Book shall be conclusive Evidence of Title during another Term of Ten Days, and *toties quoties*: Provided always, that such Deposits shall not be of less Amount than One Shilling, nor of any Sum not a Multiple thereof.

Depositors entitled to Repayments not later than Ten Days after Demand made.

3. On Demand of the Depositor or Party legally authorized to claim on account of a Depositor, made in such Form as shall be prescribed in that Behalf, for Repayment of any Deposit, or any Part thereof, the Authority of the Postmaster General for such Repayment shall be transmitted to the Depositor forthwith, and the Depositor shall be absolutely entitled to Repayment of any Sum or Sums that may be due to him within Ten Days at farthest

farthest after his Demand shall be made at any Post Office where Deposits are received or paid.

Names of Depositors, &c. not to be disclosed.

4. The Officers of the Postmaster General engaged in the Receipt or Payment of Deposits shall not disclose the Name of any Depositor nor the Amount deposited or withdrawn, except to the Postmaster General, or to such of his Officers as may be appointed to assist in carrying this Act into operation.

Money to be paid to National Debt Commissioners, &c.

5. All Monies so deposited with the Postmaster General shall forthwith be paid over to the Commissioners for the Reduction of the National Debt; and all Sums withdrawn by Depositors, or by Parties legally authorized to claim on account of Depositors, shall be repaid to them out of the said Monies, through the Office of Her Majesty's Postmaster General.

Additional Security to Depositor.

6. If at any Time the Fund to be created under the Authority of this Act by the Investment of the Deposits shall be insufficient to meet the lawful Claims of all Depositors, it shall be lawful for the Commissioners of Her Majesty's Treasury, upon being duly informed thereof by the Commissioners for the Reduction of the National Debt, to issue the Amount of such Deficiency out of the Consolidated Fund of the United Kingdom, or out of the growing Produce thereof; and the said Commissioners of Her Majesty's Treasury shall certify such Deficiency to Parliament.

Rate of Interest payable to Depositors.

7. The Interest payable to the Parties making such Deposits shall be at the Rate of Two Pounds Ten Shillings *per Centum per Annum*, but such Interest shall not be calculated on any Amount less than One Pound or some Multiple thereof, and not commence until the First Day of the Calendar Month next following the Day of Deposit, and shall cease on the First Day of the Calendar Month in which such Deposit is withdrawn.

Interest how calculated.

8. Interest on Deposits shall be calculated to the Thirty-first Day of *December* in every Year, and shall be added to and become Part of the Principal Money.

Investment of Funds received under this Act.

9. The Monies remitted to the Commissioners for the Reduction of the National Debt under the Authority of this Act shall be invested in some or in all of the Securities in which the Funds of Savings Banks established under the existing Laws may be invested; and a separate and distinct Account shall be kept by the said Commissioners of all Receipts, Investments, Sales, and Repayments; and a Balance Sheet of such Account from the First of *January* to the Thirty-first of *December* in every Year shall be laid before both Houses of Parliament not later than the Thirty-first of *March* in every Year.

Depositors desiring to transfer their Deposits.

10. If any Depositor making deposit under this Act shall desire to transfer the Amount of such Deposit to a Savings Bank established under the Acts relating to Savings Banks, he shall, upon Application to the chief Office of the Postmaster General, be furnished with a Certificate stating the whole Amount which may be due to him, with Interest, and thereupon his Account under this Act shall be closed; and, upon Delivery of such Certificate to the Trustees or Managers of the Savings Bank to which it is proposed by the Depositor to transfer such Deposit, they shall, if they think fit, open an Account for the Amount

Amount stated in such Certificate for such Depositor, who shall thereupon be subject to the Rules of such Savings Bank; and the Amount so transferred shall, upon such Certificate being forwarded to the Commissioners for the Reduction of the National Debt, be written off in the Books of the said Commissioners from the Amount of Monies received under the Authority of this Act, and shall be carried to the Account of the Savings Bank to which such Transfer shall have been made; and, in like Manner, if any Depositor in a Savings Bank established under the Savings Bank Acts shall desire to transfer the Amount due to him, with Interest, from such Savings Bank to the Postmaster General, for deposit under the Provisions of this Act, the Trustees or Managers of such Savings Bank shall, upon his Request, furnish such Depositor with a Certificate, in a Form to be approved by the Commissioners for the Reduction of the National Debt, signed by Two Trustees of such Savings Bank, and thereupon his Account with such Savings Bank shall be closed, which Certificate the Depositor may deliver to any Officer of the Postmaster General authorized to receive Deposits under this Act, and such Certificate shall for the Amount therein set forth be considered to be a Deposit made under the Authority of this Act, and being forwarded to the said Commissioners, the said Amount shall then be transferred in the Books of the said Commissioners from the Account of the said Savings Bank to the Credit of the Account of Monies deposited under the Authority of this Act: Provided always, that nothing contained in this Act respecting Savings Banks shall render it necessary to have the Rules and Regulations of any Savings Bank again certified if the same have been before certified according to Law.

Not necessary to have Rules, &c. of Savings Banks again certified.

11. The Postmaster General, with the Consent of the Commissioners of Her Majesty's Treasury, may make, and from Time to Time, as he shall see Occasion, alter Regulations for superintending, inspecting, and regulating the Mode of keeping and examining the Accounts of Depositors, and with respect to the making of Deposits and to the Withdrawal of Deposits and Interest, and all other Matters incidental to the carrying this Act into execution, in his Department, and all Regulations so made shall be binding on the Parties interested in the Subject Matter thereof to the same Extent as if such Regulations formed Part of this Act; and Copies of all Regulations issued under the Authority of this Act shall be laid before both Houses of Parliament within Fourteen Days from the Date thereof, if Parliament shall be then sitting, and if not then within Fourteen Days from the next re-assembling of Parliament.

Postmaster General, with Consent of Treasury, to make Regulations.

Copies of Regulations to be laid before Parliament.

12. An annual Account of all Deposits received and paid under the Authority of this Act, and of the Expenses incurred during the Year ended the Thirty-first of *December*, together with a Statement of the total Amount due at the Close of the Year to all Depositors, shall be laid by the Postmaster General before both Houses of Parliament not later than the Thirty-first of *March* in every Year.

Accounts to be laid before Parliament.

13. The

Accounts to be examined by Commissioners of Audit.

13. The annual Accounts of the Postmaster General, and of the Commissioners for the Reduction of the National Debt, to the Thirty-first of *December* in each Year, in respect to all Monies deposited or invested under the Authority of this Act, shall annually, prior to the Thirty-first of *March* in each Year, be submitted for Examination and Audit to the Commissioners for auditing Public Accounts.

Provisions of Savings Bank Acts applicable to this Act.

14. All the Provisions of the Acts now in force relating to Savings Banks as to Matters for which no other Provision is made by this Act shall be deemed applicable to this Act, so far as the same are not repugnant thereto.

Expenses of Act.

15. All Expenses incurred in the Execution of this Act shall be paid out of the Monies received under the Authority of this Act.

CAP. XV.

An Act to enable Her Majesty to settle an Annuity on Her Royal Highness the Princess *Alice Maud Mary*.

[17th *May* 1861.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, having taken into consideration Your Majesty's most Gracious Message, that Your Majesty has agreed to a Marriage proposed between Her Royal Highness the Princess *Alice Maud Mary* and His Grand Ducal Highness Prince *Frederic William Louis* of *Hesse*, do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Her Majesty to grant an Annuity of 6,000*l.* to Her Royal Highness the Princess Alice Maud Mary for Life.

It shall be lawful for Her Majesty, by Letters Patent under the Great Seal of the United Kingdom of *Great Britain* and *Ireland*, to grant unto Her Royal Highness the Princess *Alice Maud Mary* or to such Persons as Her Majesty thinks fit, to be named in such Letters Patent, in trust or for the Use of Her Royal Highness, an Annuity of Six thousand Pounds, to be settled on Her Royal Highness for Life, in such Manner as Her Majesty thinks proper, such Annuity to commence from the Date of the Marriage of Her Royal Highness with His Grand Ducal Highness Prince *Frederic William Louis* of *Hesse*, to be free from all Taxes, Assessments, and Charges, and to be paid quarterly on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October*; the First Payment to be made on such of the said quarterly Days as happens next after the said Marriage of such Portion of the said Annuity as may have accrued between the Date of such Marriage and such quarterly Day, and a proportionate Part to be payable for the Period from the last quarterly Day of Payment to the Day

Day of the Determination thereof: The above Annuity shall be charged on and be payable out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, after paying or reserving sufficient to pay such Sums as may have been directed to be paid out of the said Fund by former Acts of Parliament, but with Preference to all other Payments which may hereafter be charged on the said Fund.

CAP. XVI.

An Act to render valid Marriages heretofore solemnized in *Trinity Church, Rainow*, and in other Churches and Chapels. [17th *May* 1861.]

'WHEREAS the Church or Chapel known as *Trinity Church* 'in the Township of *Rainow* in the Parish of *Prestbury* 'in the County and Diocese of *Chester* was duly consecrated 'in the Year One thousand eight hundred and forty-six for the 'Performance of Divine Service therein, but no Authority hath 'ever been given by the Bishop of the said Diocese or otherwise 'for the Publication of Banns and Solemnization of Marriages 'therein: And whereas divers Marriages have nevertheless been 'solemnized in the said Church or Chapel under an erroneous 'Impression on the Part of the Minister thereof, that by virtue 'of the Consecration of the said Church or Chapel or otherwise 'Marriages might be lawfully solemnized therein, and Entries 'of the said Marriages so solemnized have from Time to Time 'been made in the Register Books kept at the said Church or 'Chapel: And whereas it is expedient, under the Circumstances 'aforesaid, to remove all Doubts touching the Validity of the 'Marriages so solemnized in the said Church or Chapel as afore-'said:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same; That,

Marriages heretofore solemnized in Trinity Church, Rainow, declared valid.

1. All Marriages heretofore solemnized in the said Church or Chapel by the Officiating Minister thereof or by any other Clergyman respectively, being duly ordained Ministers of the Church of *England*, and the Publication of Banns in such Church or Chapel by such Minister or Clergyman previous to any such Marriages, shall be and be deemed to have been as good, valid, and effectual in the Law to all Intents and Purposes whatsoever as if such Marriages had been solemnized, and such Publication of Banns had taken place, in the Parish Church of *Prestbury*.

Ministers indemnified.

2. No Minister who has solemnized any of the said Marriages shall be liable to any Ecclesiastical Censures or to any other Proceedings or Penalties whatsoever by reason of his having so solemnized the same respectively.

Registers of such Marriages or Copies to be Evidence

3. The Registers of the Marriages so solemnized, or Copies of such Registers, shall be received in all Courts of Law and Equity as Evidence of such Marriages respectively in the same Manner as

as Registers of Marriages in Parish Churches, or Copies thereof are by Law receivable in Evidence.

The Validity of such Marriages in certain other Churches and Chapels not to be questioned.

4. 'And whereas by Error Banns have been published and 'Marriages have been solemnized in Churches and Chapels duly 'consecrated, but in which Churches or Chapels Banns cannot 'be legally published nor Marriages by Law be solemnized, and 'it is expedient to remove all Doubt arising from the Circum-'stances aforesaid touching the Publication of such Banns and 'the Validity of such Marriages:' Be it therefore enacted, That all Banns already published and all Marriages already solemnized in such Churches and Chapels as aforesaid shall not hereafter be questioned on account of the said Banns having been published or the said Marriages solemnized in a Church or Chapel not legally authorized for the Publication of Banns and Solemnization of Marriages, and the Minister or Ministers who solemnized the same shall not be liable to any Ecclesiastical Censures or to any Proceedings or Penalties by reason thereof, provided he or they be rightly ordained; and the Registers of all Marriages so solemnized as aforesaid, or Copies of such Registers, shall be received in all Courts of Law and Equity as Evidence of such Marriages respectively: Provided always, that nothing herein contained shall extend or be construed to extend to authorize the Publication of Banns or Solemnization of Marriages in any of such Churches or Chapels, or in the said Church or Chapel called *Trinity Church, Rainow*, hereafter.

CAP. XVII.

An Act to amend an Act of the Twentieth and Twenty-first Years of the Reign of Her Majesty, for the Abatement of the Nuisance arising from the Smoke of Furnaces in *Scotland*. [7th *June* 1861.]

'WHEREAS an Act was passed in the Session of Parliament 'held in the Twentieth and Twenty-first Years of the 'Reign of Her present Majesty, intituled *An Act for the Abate-'ment of the Nuisance arising from the Smoke of Furnaces 'in* Scotland: And whereas it is expedient that the same be 'amended to the Effect after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

20 & 21 Vict. c. 73.

Complaints to be brought without Concourse of Lord Advocate.

1. From and after the First Day of *September* One thousand eight hundred and sixty-one, Complaints for the Recovery of Penalties under the said recited Act may be brought without the Concourse of the Lord Advocate, anything in the said Act to the contrary notwithstanding; provided always, that the Expenses of every such Complaint shall be in the Discretion of the Sheriff, Magistrate, or Justices before whom the same may be brought, and he or they shall determine the Amount thereof.

Certain Burghs to include Area

2. Burghs of Barony or Regality which send or contribute to send a Member to Parliament shall, for the Purposes of the said

said recited Act and this Act, be deemed to include, and shall include the whole Area contained within the Parliamentary Boundaries thereof. within Parliamentary Boundaries.

CAP. XVIII.

An Act to make Provision for the Dissolution of Combinations of Parishes in *Scotland* as to the Management of the Poor. [7th *June* 1861.]

'WHEREAS by an Act passed in the Eighth and Ninth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act for the Amendment and Administration of the Laws relating to the Relief of the Poor in* Scotland, it was provided, in the Sixteenth Section thereof, that the Board of Supervision thereby established, if satisfied that the Administration of the Affairs of the Poor in any Two or more Parishes, "might be carried on with greater Advantage to the said "Parishes and to the Poor therein, by the said Parishes being "combined for the Purposes" of the said Act, to resolve and declare that such Parishes should thenceforward be combined for the Purposes of the said Act: And whereas no Power is by the said Act conferred on the Board of Supervision, or on any other Tribunal, to dissolve, under any Circumstances, a Combination of Parishes once effected under Authority of the said Act: And whereas it is expedient that Power should be conferred on the said Board, in the Cases and subject to the Provisions after mentioned, to dissolve such Combinations of Parishes:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 8 & 9 Vict. c. 83.

1. It shall be lawful for the Parochial Board of any Combination of Parishes which may have been combined under the Provisions of the said recited Act, at One of its fixed General Meetings, to resolve that it is expedient that the Combination should, as to all or as to certain of the Parishes thereof, be dissolved, and thereupon to appoint a Special Meeting of the Board for the Purpose of considering whether an Application should be made to the Board of Supervision, craving the said Board of Supervision so to dissolve such Combination; provided always, that Notice shall have been given by the Member or Members of the Parochial Board intending, at such Meeting, to propose such Resolution, of his or their Intention then to propose the same, to every other Member thereof, by Letter addressed to each such Member at his ordinary Place of Residence, and put into the Post Office at least One Month prior to such General Meeting; and the Special Meeting, if resolved to be appointed, shall be appointed to be held on a Day not sooner than Three Weeks nor later than Six Weeks after the Date of such Resolution. Parochial Board of Combination may appoint Special Meeting for Application for Dissolution.

 2. Intimation

Intimation of Special Meeting.

2. Intimation shall be given of the Special Meeting appointed as aforesaid by Letters addressed by the Inspector of the Poor to every Member of the Parochial Board at his usual Place of Residence, and put into the Post Office at least One Fortnight before the Day of Meeting, and specifying the Time and Place of Meeting, and the Purpose for which such Meeting has been appointed to be held.

Special Meeting may authorize Application to Board of Supervision.

3. At such Special Meeting, if the Parochial Board shall unanimously, or by a Majority of at least Two Thirds, agree to the proposed Application being made, but not otherwise, it shall be lawful for the Parochial Board to authorize an Application, in their Name, to be transmitted to the Board of Supervision, praying such Board of Supervision to dissolve the Combination as to all or any of the Parishes thereof, and the Chairman of the Parochial Board shall thereupon sign and forthwith transmit to the Board of Supervision such Application accordingly; and the said Parochial Board may also transmit to the Board of Supervision a Statement of their Reasons in support of such Application; and any Members of the Parochial Board who may dissent from the Resolution to make such Application may, within Ten Days after the Date of such Resolution, give in to the Chairman a Statement of their Reasons of Dissent, which Statement the Chairman shall forthwith transmit to the Board of Supervision.

Board of Supervision may thereupon dissolve Combination;

4. The Board of Supervision, on receiving any such Application shall make such Inquiry as to them shall seem necessary and proper; and the said Board of Supervision after such Inquiry shall have Power, if satisfied, from any Change in the Condition and State of the Parishes, or on consideration of the Results of the Experience already had of the Administration of the Poor since the Parishes were combined, that it is not for the Advantage of the Parishes, or of the Poor thereof, that the Administration of the Affairs of the Poor should be continued in these Parishes in a State of Combination, to dissolve the Combination as to all or any of the Parishes thereof in Terms of the Prayer of the Application, or they may, if they see Cause, refuse such Application.

and decide all Questions between the Parishes.

5. If the Board of Supervision shall dissolve any such Combination as aforesaid, they shall further, after such Inquiry as they shall deem necessary and proper, determine all Questions as to the Liability of the several Parishes which had constituted the Combination to support particular Paupers in Time to come, and as to the Obligations incumbent on the Combination, and the Shares thenceforward to be borne by the several Parishes thereof, and as to any Property belonging to the Combination, and the Division or Destination to be thereafter made of it, and any Claims of Compensation thence arising; and generally they shall have Power to dispose of all Questions and Claims between the several Parishes in reference to the Affairs of the Poor in so far as affected by the Dissolution as aforesaid, and all Decisions and Determinations by the Board of Supervision shall be final and conclusive, and shall not be subject to Review by any Court, whether

whether by Appeal, Advocation, Suspension, Reduction, or otherwise.

After Dissolution, Management of Poor to proceed as if Parishes never combined.

6. On any such Dissolution taking place as aforesaid, the Management of the Poor in every Parish which shall, in consequence, have ceased to form Part of a Combination of Parishes, and the Administration of the Laws relating to the Relief of the Poor in such Parish and to the raising the necessary Funds for their Relief, shall, from and after a Day to be named by the Board of Supervision as the Date at which the Dissolution shall take effect, and subject to the Decisions and Determinations of the said Board herein-before mentioned, be carried on in every such Parish as if no such Combination had ever been formed.

If Application refused not to be renewed till after Five Years.

7. If the Board of Supervision shall refuse any such Application for Dissolution as aforesaid, it shall not be lawful for the Parochial Board whose Application has been refused to renew such Application till after the Lapse of Five Years from the Date at which it was so refused.

CAP. XIX.

An Act to apply the Sum of Ten Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and sixty-one. [7th *June* 1861.]

CAP. XX.

An Act to continue certain Duties of Customs and Inland Revenue for the Service of Her Majesty, and to alter and repeal certain other Duties. [12th *June* 1861.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies to defray Your Majesty's Public Expenses, and making an Addition to the Public Revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several Rates and Duties herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Grant of Duties specified in Schedules annexed.

1. There shall be charged, collected, and paid for the Use of Her Majesty, Her Heirs and Successors, the several Rates and Duties of Customs, Excise, and Income Tax respectively specified and contained in the several Schedules marked respectively (A.), (B.), and (C.) to this Act annexed; and the several Drawbacks therein specified and contained shall be allowed, and such Rates, Duties, and Drawbacks shall respectively take effect, at or from the respective Times, and shall continue to be charged, collected, paid, and allowed for and during the Periods respectively specified or mentioned in that Behalf in the said Schedules; and

where with regard to any of such Rates, Duties, and Drawbacks no Time is so specified for the Commencement thereof, the same shall commence and take effect from and after the passing of this Act; and where with regard to any of the said Rates, Duties, and Drawbacks no Period is so as aforesaid specified or limited for the Duration thereof, the same shall continue to be charged, collected, paid, and allowed until Parliament shall otherwise order; and the said several Schedules shall be deemed to be Part of this Act.

Provisions of former Act to apply.

2. All the Powers, Provisions, Clauses, Regulations, Allowances and Exemptions, Forfeitures, Pains and Penalties, contained in or imposed by any Act or Acts, or any Schedule thereto, relating to any Duties of the same Kind or Description as the several Rates or Duties granted by this Act respectively and in force at the Time of the passing of this Act, or as regards the Income Tax in force on the Fifth Day of *April* One thousand eight hundred and sixty-one, shall respectively be of full Force and Effect with respect to the said Rates and Duties by this Act granted respectively, so far as the same are or shall be applicable, in all Cases not hereby expressly provided for, and shall be observed, applied, allowed, enforced, and put in execution for and in the raising, levying, collecting, and securing of the said last-mentioned Rates and Duties respectively, and otherwise in relation thereto, so far as the same shall not be superseded by and shall be consistent with the express Provisions of this Act, as fully and effectually, to all Intents and Purposes, as if the same had been herein repeated and specially enacted, *mutatis mutandis*, with reference to the Rates and Duties by this Act granted respectively.

Persons entrusted with the Payment of Dividends and Interest due since 5th April 1861, and before the passing of this Act, to make Returns thereof to the Special Commissioners in order to the Assessment of the Persons who have received such Dividends and Interest.

3. 'And whereas since the Fifth Day of *April* now last past 'and before the passing of this Act divers Dividends, Annuities 'and Shares of Annuities, and Interest on Loans and on Bonds, 'Debentures, and other Securities directed by the Acts relating 'to the Income Tax in force on the said last-mentioned Day to 'be assessed under Schedule (C.) of the said Acts have become 'due and payable, and by reason of the Expiration of the said 'Acts before the passing of this Act have not been assessed and 'charged with the said Tax; and it is expedient to provide for 'the Assessment thereof with the Rates and Duties of Income 'Tax granted by this Act, and for the Collection of the Sums 'assessed from the Persons respectively to whom such Dividends, 'Annuities, Shares, and Interest have been paid or who are 'entitled thereto:'

Be it enacted, That all Persons respectively entrusted with the Payment of any such Dividends, Annuities, Shares, or Interest as aforesaid, or who have paid the same, either as Agent or otherwise, shall, within One Calendar Month after the passing of this Act, deliver or cause to be delivered to the Commissioners for Special Purposes at the Head Office of Inland Revenue at *Somerset House* in the City of *Westminster* an Account in Writing, duly authenticated and signed by such Persons respectively, containing a Description of all such Dividends, Annuities, Shares,

Shares, and Interest entrusted to them for Payment which have become due or payable since the Fifth Day of *April* last, and also a true and perfect Account of the Names and Residences of the several Persons to whom the same have become due or payable, and the several Sums which have been so paid to them, or to which they have become entitled respectively; and the said Commissioners for Special Purposes shall make Assessments thereon respectively, under Schedule (C.) of the Acts relating to the Income Tax, of the Rates and Duties of Income Tax granted by this Act, and the Sum so assessed shall be paid to the Receiver General of Inland Revenue by the several Persons who shall have received or are entitled to such Dividends, Annuities, Shares, and Interest respectively; and in default of such Payment the Sums so assessed shall be recoverable from the said last-mentioned Persons, and shall be collected and levied in like Manner as any other Assessments made by the said Commissioners are or may be by Law directed or authorized to be recovered, collected, or levied: Provided always, that if any Sum so assessed shall not be so paid, recovered, or collected by or from any Person chargeable therewith, and such Person shall at any Time hereafter become entitled to any further Payment of the like Dividends, Annuities, Shares, or Interest, the Person entrusted with the Payment thereof as aforesaid shall, on Notice and Requisition from the said Commissioners in that Behalf, deduct and retain from and out of such further Payment any such Sum assessed and remaining unpaid as aforesaid, as well as any further Assessment chargeable in respect of such further Payment of the said Dividends, Shares, Annuities, or Interest; and the Person deducting and retaining any such Sum of Money assessed as aforesaid shall pay the same into the Bank of *England* to the Account of the said Receiver General in like Manner as he is by any Act relating to the Income Tax required or directed to pay over any other Sums of Money deducted or retained by him for Income Tax; and if any Person entrusted with the Payment of or who hath paid any such Dividends, Annuities, Shares, or Interest as aforesaid, either as Agent or otherwise, shall neglect or refuse to do any Act hereby required or directed to be done or performed by him, he shall forfeit the Sum of One hundred Pounds.

Dividends and Interest due since 5th April to be assessed by the Special Commissioners.

4. On and after the First Day of *October* One thousand eight hundred and sixty-one the Duties of Excise now payable on Paper of any Denomination, and Buttonboard, Millboard, Pasteboard, and Scaleboard, and also the Duties of Customs now payable upon the Importation into the United Kingdom of the Articles specified and contained in Schedule (D.) to this Act annexed, and also all Allowances and Drawbacks of or in respect of any of such Duties, shall cease, and shall be no longer charged, levied, allowed, or paid respectively; and all Acts, Clauses, Provisions, and Regulations for charging, levying, collecting, allowing, and paying the said Duties, Allowances, and Drawbacks respectively shall be and the same are hereby repealed; save and except as to all such Duties, Allowances, and

On and after October 1, 1861, the Excise Duties, Allowances, and Drawbacks on Paper, and Customs Duties on Articles specified in Schedule (D.), repealed, except as to Arrears and Penalties.

Drawbacks, and all Fines, Penalties, and Forfeitures, as have respectively been charged or incurred, or become payable, or which before the said last-mentioned Day may be charged or incurred, or become payable, and then remain in arrear or unrecovered or unpaid; all which said Duties, Allowances, and Drawbacks, Fines, Penalties, and Forfeitures, so in arrear or unrecovered or unpaid as aforesaid, may be sued for, recovered, collected, levied, and paid respectively as if this Act had not been passed.

Stationers entitled to Allowance of Excise Duty in respect of unbroken Reams, &c. of Paper in their Stock.

5. Provided always, That any Stationer, Pasteboard Maker, or Paper Stainer who shall have in his Stock or Possession on the First Day of *October* One thousand eight hundred and sixty-one One Ton Weight of Paper of any Denomination, Buttonboard, Millboard, or Pasteboard, or any or either of them, on which the Duties of Excise have been fully charged, and shall produce the same to the proper Officer of Excise authorized by the Commissioners of Inland Revenue to take an Account thereof in Reams, Half Reams, or Parcels, whole and unopened, with the Wrapper unbroken and the Excise Label thereon uncancelled and unobliterated, shall be entitled to claim and be allowed the whole or such Proportion as herein-after mentioned of the Duty charged on such Paper, Buttonboard, Millboard, and Pasteboard respectively; (that is to say,) if such Paper, Buttonboard, Millboard, or Pasteboard shall have been charged with Duty after the Fifteenth Day of *May* One thousand eight hundred and sixty-one, the whole of the Duty so charged; and if such Paper, Buttonboard, Millboard, or Pasteboard shall have been charged with Duty at any Time on or before the said last-mentioned Day, then at the Rate of One Penny for every Pound Weight Avoirdupois of such last-mentioned Paper, Buttonboard, Millboard, and Pasteboard, and such Allowance shall be claimed and be repaid to the Party entitled thereto in the Manner directed by and under and subject to the Provisions of this Act, and such Rules and Regulations as the Commissioners of Inland Revenue may make in that Behalf.

Mode of claiming Allowance of Excise Duty on Paper.

6. Every Person who shall claim to be entitled to any such Allowance of Duty as aforesaid shall separate the Paper, Buttonboard, Millboard, and Pasteboard charged after the Fifteenth Day of *May* One thousand eight hundred and sixty-one on which he intends to claim any such Allowance from that charged on or before the said last-mentioned Day, and shall keep it separate until the Officer of Excise has taken the Account by this Act directed to be taken, and shall within Two Days next after the said First Day of *October* One thousand eight hundred and sixty-one give Notice in Writing to the proper Officer of Excise of the Division in which the Paper, Buttonboard, Millboard, or Pasteboard shall be deposited of his Name and Place of Abode, and the Description of Business carried on by him, and also of the particular House, Shop, or Warehouse in which any Paper, Buttonboard, Millboard, or Pasteboard in respect of which he intends to claim any such Allowance shall be kept or deposited, and specifying the Number of Reams, Half Reams, or Parcels of such

such Paper, Buttonboard, Millboard, or Pasteboard, and the Weight marked, written, or printed on each Ream, Half Ream, or Parcel by the Maker thereof, distinguishing that whereon the Duty shall have been charged after the Fifteenth Day of *May* One thousand eight hundred and sixty-one from that whereon the Duty was charged on or before the said last-mentioned Day, and the total Weight of each Quantity so distinguished, and the Amount of the Allowance of Duty claimed in respect thereof; and if any Person claiming such Allowance as aforesaid shall neglect or fail in any respect to comply with the Regulations or Directions in this Act contained or authorized to be made or given, or shall do anything contrary thereto, he shall not have or be entitled to any Allowance in respect of any Paper, Buttonboard, Millboard, or Pasteboard in his Stock or Possession.

Officer to examine Claims and Stock, and to grant Certificate of Allowance.

7. The proper Officer of Excise authorized by the Commissioners of Inland Revenue shall, as soon as conveniently may be after such Notice given as aforesaid, attend at the Place therein mentioned as the Place where any such Paper, Buttonboard, Millboard, or Pasteboard is deposited, and shall there examine, weigh, and take an Account of the same, and ascertain and compute the Amount of the Allowance to which the Claimant may be entitled in respect thereof; and such Officer shall with all convenient Speed give to such Claimant a Certificate expressing the true Quantity and Weight of the Paper, Buttonboard, Millboard, and Pasteboard respectively in respect of which such Claimant shall be entitled to the Allowance, distinguishing the Quantity on which the Duty may have been charged after the Fifteenth Day of *May* One thousand eight hundred and sixty-one from that whereon the Duty has been charged on or before the said last-mentioned Day, and specifying the Amount of the Allowance in respect of each such Quantity, and the aggregate Amount of both, and also the Name and Place of Abode of the Person entitled thereto, and the Description of Business carried on by him.

Declaration to be made of the Truth of the Certificate, and Collector to pay the Amount of the Allowance.

8. On the Production of such Certificate by the Claimant or his Agent to the Collector of Excise of the Collection in which the same was granted, and on a solemn Declaration being made by such Claimant before a Justice of the Peace or such Collector that the whole Quantity of the said Paper, Buttonboard, Millboard, and Pasteboard of the respective Kinds mentioned in such Certificate was at the Time therein specified in his Stock or Possession, and was the sole Property of such Claimant, or of him and his Copartner in Trade, (as the Case may be,) and that the same or any Part thereof hath not been taken account of for the Purpose of obtaining the said Allowance more than once, and that the said Certificate is true to the best of his Knowledge and Belief, and that no false Statement, Art, or Contrivance was used to deceive the Officer taking an Account of such Paper, Buttonboard, Millboard, or Pasteboard, or any Part thereof, or to render the Account or Amount thereof expressed in such Certificate untrue, the said Collector, being satisfied of the Truth of such Declaration, shall, out of the Money in his Hands on account of any

any of the Duties of Excise, pay to the said Claimant or his Agent the Sum of Money specified in such Certificate at the next Sitting Day which shall be held for the Collection or Receipt of Excise Duties next after the Expiration of One Week from the Production of such Certificate and the making of such Declaration as aforesaid.

Penalty for forged or false Certificate or false Declaration.

9. And if any Person shall forge or counterfeit, or cause to be forged or counterfeited, any Certificate by this Act directed to be given, or shall knowingly or wilfully give any false or untrue Certificate, or shall alter or erase, or cause to be altered or erased, any such Certificate granted by any Officer of Excise, or shall make use of or in any Manner utter such Certificate, knowing the same to be forged, counterfeited, false, untrue, altered, or erased, or if any Person shall knowingly or wilfully make any false Declaration in relation to any such Certificate, or any of the Matters therein expressed or contained, every Person so offending shall for every such Offence forfeit the Sum of Five hundred Pounds.

SCHEDULES.

SCHEDULE (A.)

Containing the RATES and DUTIES of CUSTOMS granted, and the DRAWBACKS allowed on the following ARTICLES, by this ACT.

Duties now charged on Tea, Sugar, &c. continued until 1st July 1862.

The Duties of Customs now charged on the Articles next mentioned shall continue to be levied and charged, on and after the First Day of July One thousand eight hundred and sixty-one until the First Day of July One thousand eight hundred and sixty-two, on Importation into Great Britain and Ireland; that is to say,

		£	s.	d.
Tea (without any Allowance for Draft)	the lb.	0	1	5
Almonds, Paste of	the lb.	0	0	2
Cherries, dried	the lb.	0	0	2
Comfits, dry	the lb.	0	0	2
Confectionery	the lb.	0	0	2
Ginger, preserved	the lb.	0	0	2
Marmalade	the lb.	0	0	2
Plums, preserved in Sugar	the lb.	0	0	2
Succades, including all Fruits and Vegetables preserved in Sugar, not otherwise enumerated	the lb.	0	0	2
SUGAR; viz.				
Candy, Brown or White, Refined Sugar, or Sugar rendered by any Process equal in Quality thereto	the Cwt.	0	18	4
White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, not being Refined or equal in Quality to Refined	the Cwt.	0	16	0

Sugar—continued.	£	s.	d.
Yellow Muscovado and Brown Clayed Sugar, or Sugar rendered by any Process equal in Quality to Yellow Muscovado or Brown Clayed, and not equal to White Clayed the Cwt.	0	18	10
Brown Muscovado or any other Sugar, not being equal in Quality to Yellow Muscovado or Brown Clayed Sugar - - the Cwt.	0	12	8
Cane Juice - - - - the Cwt.	0	10	4
Molasses - - - - the Cwt.	0	5	0

The following Drawbacks shall be allowed on Exportation to Foreign Parts, or on Removal to the Isle of Man for Consumption there, of the several Descriptions of Refined Sugar herein-after mentioned, on and after the First Day of July One thousand eight hundred and sixty-one until the First Day of July One thousand eight hundred and sixty-two; that is to say,

Upon Refined Sugar, in Loaf, complete or whole, or Lumps duly refined, having been perfectly clarified and thoroughly dried in the Stove, and being of an uniform Whiteness throughout, or Sugar Candy, or Sugar refined by the Centrifugal Machine, or by any other Process, and not in any way inferior to the Export Standard No. 3 approved by the Lords of the Treasury for every Cwt.	£	s.	d.
	0	17	2
Upon such Refined Sugar already described, if pounded, crushed, or broken in a Warehouse approved by the Commissioners of Customs, such Sugar having been there first inspected by the Officers of Customs in Lumps or Loaves, as if for immediate Shipment, and then packed for Exportation in the Presence of such Officers, and at the Expense of the Exporters - for every Cwt.	0	17	2
Upon Refined Sugar unstoved, pounded, crushed, or broken, and not in any way inferior to the Export Standard Sample No. 1 approved by the Lords of the Treasury, and which shall not contain more than 5 per Centum Moisture over and above what the same would contain if thoroughly dried in the Stove - - - - for every Cwt.	0	16	4
Upon Bastard or Refined Sugar, unstoved, broken in Pieces, or being ground, powdered, or crushed, not in any way inferior to the Export Standard Sample No. 2 approved by the Lords of the Treasury - - - for every Cwt.	0	15	1
Upon Bastard or Refined Sugar being inferior in Quality to the said Export Standard Sample No. 2 for every Cwt.	0	12	8

In lieu of the Duties of Customs now charged on the Articles under mentioned, the following Duties of Customs shall, on and after

Duty on Chicory.

after the Sixteenth Day of April One thousand eight hundred and sixty-one, be charged thereon on Importation into Great Britain and Ireland; that is to say,

	£	s.	d.
CHICORY, or any other Vegetable Matter applicable to the Uses of Chicory or Coffee; viz.			
Raw or kiln-dried - - - - the Cwt.	0	12	0

SCHEDULE (B.)

Containing the DUTIES of EXCISE granted by this ACT.

CHICORY:

For and upon all Chicory or any other Vegetable Matter applicable to the Uses of Chicory or Coffee grown in the United Kingdom;

For every Hundredweight thereof, raw or kiln-dried, until the First Day of April One thousand eight hundred and sixty-two, the Duty of Eight Shillings and Sixpence, and on and after that Day the Duty of Eleven Shillings, and so in proportion for any greater or less Quantity than a Hundredweight:

In lieu of the Duties of Excise now payable thereon.

SCHEDULE (C.)

Containing the RATES and DUTIES of INCOME TAX granted by this ACT.

For One Year, commencing on the Sixth Day of April One thousand eight hundred and sixty-one, for and in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act passed in the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter Thirty-four, for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, the following Rates and Duties, that is to say:—

For every Twenty Shillings of the annual Value or Amount of all such Property, Profits, and Gains (except those chargeable under Schedule (B.) of the said Act), the Rate or Duty of Ninepence;

And for and in respect of the Occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B.) of the said Act, for every Twenty Shillings of the annual Value thereof—

In England the Rate or Duty of Fourpence Halfpenny; and

In Scotland and Ireland respectively the Rate or Duty of Threepence;

Subject to the Provision contained in the said Act, Sixteen and Seventeen Victoria, Chapter Thirty-four, Section Twenty-eight, for the Relief of Persons whose Incomes are under 150*l.* a Year respectively, from so much of the said Duties as shall exceed the Rate of Sixpence for every Twenty Shillings of their respective Profits and Gains, computed as in the said Enactment is mentioned,

tioned, and subject also to the Provision therein contained for the Exemption of Persons whose Incomes from every Source shall be less than 100*l.* a Year respectively.

SCHEDULE (D.)

Specifying the ARTICLES upon which CUSTOMS DUTIES are to cease by this ACT.

The Duties of Customs chargeable upon the Goods, Wares, and Merchandise next herein-after mentioned, imported into Great Britain and Ireland, shall cease and determine on and after the First Day of October One thousand eight hundred and sixty-one; (that is to say,)

Paper; viz.

Brown Paper, made of old Rope or Cordage only, without separating or extracting the Pitch or Tar therefrom, and without any Mixture of other Materials therewith.

Printed, painted, or stained Paper Hangings or Flock Paper.

For Printing or Writing.

Gilt, stained, coloured, embossed, and all fancy Kinds, not being Paper Hangings, or Paper fit for Printing or Writing.

Waste Paper, or Paper of any other Sort not particularly enumerated or described, not otherwise charged with Duty.

Millboards.

Pasteboard.

Books; viz.

——— being of Editions printed in or since the Year 1801, bound or unbound.

——— admitted under Treaties of International Copyright, or if of and from any British Possession.

Prints and Drawings; viz.

——————— plain or coloured.

——————— admitted under Treaties of International Copyright.

——————— or, and at the Option of the Importer,

——————— ——— Single.

——————— ——— Bound.

CAP. XXI.

An Act for granting to Her Majesty certain Duties of Excise and Stamps. [28th *June* 1861.]

Most Gracious Sovereign:

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies to defray Your Majesty's Public Expenses, and making an Addition to the Public Revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several Rates and Duties herein-after mentioned; and do therefore most humbly

humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Grant of Duties specified in Schedules annexed.

1. There shall be charged, collected, and paid for the Use of Her Majesty, Her Heirs and Successors, the several Duties of Excise and Stamps specified and contained in the Schedules marked respectively (A.) and (B.) to this Act annexed, which said Duties shall commence and take effect at or from the respective Times specified or mentioned in that Behalf in the said Schedules; and where with regard to any of such Duties no Time is so specified for the Commencement thereof, the same shall commence and take effect from and after the passing of this Act: Provided, that the last-mentioned Duties imposed on any of the several Instruments, Matters, and Things described in the said Schedule (B.) shall be chargeable in respect of such of them only as shall be dated, or, if there be no Date, made or signed at any Time after the Day of the passing of this Act.

Power to Licensed Dealers in Spirits taking out an additional Licence to retail and send out Foreign or British Spirits in less Quantities than Two Gallons.

2. Any Person duly licensed as a Dealer in Spirits in *England* may take out an additional Licence authorizing him to sell by Retail Foreign or *British* Spirits in any Quantity not less than One reputed Quart Bottle, or, as to Foreign Liqueurs, in the Bottles in which the same may have been imported, not to be drunk or consumed upon the Premises; and any Licensed Dealer taking out such additional Licence may send out or deliver any such Spirits without the Certificate required by Law in such Cases, if the Quantity does not exceed One Gallon at a Time, and such Spirits are not sent to the Stock of any Dealer or Retailer: Provided always, that nothing herein contained shall extend to repeal, alter, or affect Section One hundred and sixty-nine of the Act of the last Session of Parliament, Chapter One hundred and fourteen: Provided further, that notwithstanding any Provision herein-after contained, all Penalties to be incurred or recoverable under this Section, or in relation thereto, may be sued for by any Superintendent or Inspector of Police, upon Information and Summons before the Police Court or Justice having Jurisdiction in the Place where the Offence is committed, but the Appropriation of the Penalty shall be the same as is herein-after specified.

Licences may be granted for the Sale of Table Beer by Retail not to be drunk on the Premises without Persons being rated, &c.

3. It shall be lawful for any Person to take out a Licence for the Sale in any House or Shop of Table Beer, at a Price not exceeding the Rate of One Penny Halfpenny the Quart, and not to be drunk or consumed on the Premises where sold; and it shall not be necessary to the obtaining of such Licence that the said House or Shop shall be rated to the Relief of the Poor to any Amount, or that the Person applying for such Licence shall produce any Certificate, or enter into any Bond required by any Act relating to the Sale of Beer by Retail.

Provisions of former Acts to apply to this Act.

4. All the Powers, Provisions, Clauses, Regulations, Allowances, and Exemptions, Forfeitures, Pains, and Penalties contained in or imposed by any Act or Acts, or any Schedule thereto,

thereto, relating to any Duties of the same Kind or Description as the several Rates or Duties granted by this Act respectively, and in force at the Time of the passing of this Act, shall respectively be of full Force and Effect with respect to the said Duties by this Act granted respectively, so far as the same are or shall be applicable, in all Cases not hereby expressly provided for, and shall be observed, applied, allowed, enforced, and put in execution for and in the raising, levying, collecting, and securing of the said last-mentioned Duties respectively, and otherwise in relation thereto, so far as the same shall not be superseded by and shall be consistent with the express Provisions of this Act, as fully and effectually to all Intents and Purposes as if the same had been herein repeated and specially enacted, *mutatis mutandis*, with reference to the Duties by this Act granted respectively.

Expiration of Licences granted under this Act to Hawkers, &c.

5. All Licences to Hawkers, Pedlars, and Petty Chapmen under this Act, where the same shall be respectively granted for any Period exceeding Six Months, shall continue in force until and upon the Thirty-first Day of *July* next following the Date thereof, and no longer; and where they shall be granted for any Period not exceeding Six Months they shall continue in force until and upon the Thirty-first Day of *January* or the Thirty-first Day of *July*, as the Case may be, next following the Date thereof, and no longer.

Licence may be granted to Hawkers on Certificate of Justice, &c.

6. Any Licence to a Hawker, Pedlar, and Petty Chapman under this Act may be granted by any authorized Officer of Inland Revenue upon the Person applying for it producing either such Certificate as is now by Law required before receiving a Hawker's Licence, or a Certificate under the Hand of a Justice of the Peace for the County or Place, or any Superintendent or Inspector of Police of or for the District in which the Officer shall reside, that the Applicant for such Licence under this Act is a proper Person to be so licensed.

Not to affect the Licences to Hawkers, &c. trading otherwise than as herein mentioned.

7. Provided always, That nothing herein contained shall in any way affect the Licences by Law required to be taken out by Hawkers, Pedlars, and Petty Chapmen travelling or trading in any other Manner than as in the Schedule to this Act is mentioned, or the Duties thereon, nor, save as herein is expressly enacted, any of the Powers, Provisions, Clauses, Regulations, Directions, Fines, Forfeitures, Pains, and Penalties contained in any Act of Parliament in force relating to Hawkers, Pedlars, and Petty Chapmen, or to Stamp Duties.

Licensed Hawkers, &c. may carry and sell Tea and Coffee under an Excise Licence.

8. 'And whereas Persons licensed under the Laws of Excise 'to sell Tea and Coffee are restricted in the Sale thereof to 'Premises of which Entry is required to be made with the 'Officers of Excise; and it is expedient to allow such licensed 'Persons who shall also be duly licensed under the Acts in 'force relating to Hawkers, Pedlars, and Petty Chapmen in '*Great Britain* to carry and expose for Sale and sell Tea or 'Coffee in the Course of their Trading as such Licensed Hawkers, Pedlars, and Petty Chapmen:' Be it enacted, That no Person who shall be duly licensed under the Laws of Excise to sell Tea or Coffee, and also duly licensed as a Hawker, Pedlar, and

and Petty Chapman, shall be subject to any Penalty or Forfeiture for selling Tea or Coffee elsewhere than on such entered Premises as aforesaid, by reason or on account of his selling Tea or Coffee in the regular Course of his Trading as such Hawker, Pedlar, or Petty Chapman, duly licensed as aforesaid, anything in any Act relating to the Excise to the contrary notwithstanding.

Persons seeking Orders for Goods at other Men's Houses to be deemed Hawkers.

9. Persons going from Town to Town or to other Men's Houses, carrying to sell or exposing to Sale any Goods, Wares, or Merchandise, or carrying and exposing Samples or Patterns of any Goods, Wares, or Merchandise to be afterwards delivered, shall be deemed to be and shall be trading Persons within the Meaning of this Act, and of the Acts now in force relating to Hawkers, Pedlars, and Petty Chapmen, and shall be subject and liable to all the Duties, Provisions, Regulations, Pains, and Penalties in and by the said Acts imposed or contained, as if the same were herein repeated and re-enacted with reference to the Persons and Matters and Things aforesaid: Provided that nothing herein contained shall extend to subject Commercial Travellers or other Persons to the Duties and Provisions of the said Acts by reason merely of their selling or seeking Orders for Goods, Wares, or Merchandise to or from Persons who are Dealers therein, and who buy to sell again, nor to Persons licensed by the Excise to deal in Spirits, Wine, or Beer, or to the Agents of such last-mentioned Persons, nor to Persons who are the real Workers or Makers of any Goods or Wares, or the Servants of such Persons seeking Orders for any of such Goods or Wares.

Who shall be deemed House Agents, and required to be licensed as such.

10. Every Person who, as an Agent for any other Person, shall, for or in expectation of Fee, Gain, or Reward of any Kind, advertise for Sale or for Letting any furnished House or Part of any furnished House, or who shall by any Public Notice or Advertisement, or by any Inscription in or upon any House, Shop, or Place used or occupied by him, or by any other Ways or Means, hold himself out to the Public as an Agent for selling or letting furnished Houses, and who shall let or sell, or agree to let or sell, or make or offer or receive any Proposal, or in any way negotiate for the selling or letting of any furnished House or Part of any furnished House, shall be deemed to be a Person using and exercising the Business, Occupation, and Calling of a House Agent within the Meaning of this Act and the Schedule (B.) hereto, and shall be licensed accordingly: Provided that no Person shall be deemed to be such House Agent by reason of his letting, or agreeing or offering to let, or in any way negotiating for the letting, of any House not exceeding the annual Rent or Value of Twenty-five Pounds: Provided also, that any Story or Flat rated and let as a separate Tenement shall be considered to be a House for the Purposes of this Enactment.

By whom Licences to House Agents shall be granted, and the Date and Continuance

11. The Commissioners of Inland Revenue, and any Person authorized by them, shall, after the Fifth Day of *July* One thousand eight hundred and sixty-one, grant Licence to any Person who shall apply for the same to use and exercise the Business, Occupation, and Calling of a House Agent, which Licence

cence shall also authorize the Person to whom it is granted to use and exercise the Calling or Occupation of an Appraiser; and any such Licence issued between the Fifth Day of *July* and the Fifth Day of *August* in any Year shall be dated on the Sixth Day of *July*, and any such Licence issued at any other Time shall bear the Date of the Day on which the same shall be issued, and every such Licence shall continue in force from the Day of the Date thereof until and upon the Fifth Day of *July* then next following and no longer.

Penalty for acting without Licence.

12. Every Person who shall use or exercise the Business, Occupation, or Calling of a House Agent, without having a Licence in force under this Act so to do, shall forfeit the Sum of Twenty Pounds.

Exceptions.

13. Provided always, That this Act shall not extend to require any Agent employed in the Management of Landed Estates, or any Attorney, Solicitor, Proctor, Writer to the Signet, Agent or Procurator admitted in any Court of Law, or any Conveyancer, who shall as such have taken out his annual Certificate, or any Auctioneer or Appraiser, having in force a Licence as such, to take out a Licence under this Act as a House Agent.

The Stamp on the Lease of a furnished House may be adhesive; the same to be cancelled.

14. The Stamp Duty on a Lease or Tack of a furnished Dwelling House for a Term or Period of Time less than a Year, or on an Agreement, or a Minute or Memorandum of an Agreement containing the Terms and Conditions on which any such House is let, held, or occupied for any such Term or Period of Time, whatever may be the Amount of Rent reserved or made payable, and any Counterpart or Duplicate thereof, may be denoted by an adhesive Stamp affixed thereto, to be provided by the Commissioners of Inland Revenue for that Purpose; and where any such adhesive Stamp shall be used, every Party to the Instrument who shall sign the same shall also at the Time of signing it write upon or across the Stamp his Name, and there shall, before or at the Time of so signing the Instrument by the Party who shall first sign the same, be written upon the Stamp the Date of the Instrument, so that the Stamp may be appropriated to the Instrument and effectually cancelled and rendered incapable of being used for any other Instrument, and in default thereof the Stamp shall be of no avail, and Proof of the said Writing upon or across the Stamp as aforesaid shall be a necessary Part of the Evidence of the signing or making of the Instrument in any Case where such Instrument is not stamped with an impressed Stamp: Provided always, that where the Persons who as Parties shall sign any such Instrument shall exceed Two, it shall be sufficient if One Person only on each Part shall write his Name on the Stamp.

Penalty for signing any such Agreement not stamped.

15. If any Lease or Tack, or Agreement, Minute or Memorandum of Agreement, herein-before described, or any Duplicate or Counterpart thereof, shall not be written on Paper or Parchment duly stamped for the same, and shall not at the Time of signing the same as aforesaid have affixed thereto the proper adhesive Stamp, or such Stamp, if affixed, shall not be cancelled in manner herein-before mentioned, every Person who shall sign

the said Instrument, if there shall be no Stamp thereon or affixed thereto, and every Person who shall make default in signing his Name across the adhesive Stamp, if one shall be affixed thereto, and also, in either of the Cases aforesaid, the Agent or Person who shall prepare or be employed in preparing such Instrument, shall forfeit Five Pounds, which shall be in addition to any Penalty by Law payable on stamping the same: Provided always, that nothing herein contained shall be construed to render any Person liable to any Penalty for or on account of any Letters or Correspondence by Post containing the Terms or Conditions offered or accepted for the taking or letting of any furnished House.

SCHEDULES.

SCHEDULE (A.)

Containing the Duties of Excise granted by this Act.

	£	s.	d.
Retail Licence to Dealers in Spirits.			
For and upon every additional Excise Licence to be taken out by any licensed Dealer in Spirits in Great Britain to authorize and empower him to sell by Retail Foreign or British Spirits in any Quantity not less than One reputed Quart Bottle, or as to Foreign Liqueurs in the Bottles in which the same may have been imported, and not to be drunk or consumed on the Premises, the Sum of - -	3	3	0
Licence to sell Table Beer.			
For and upon every Excise Licence to be taken out by any Person for the Sale in any House or Shop of Table Beer at a Price not exceeding the Rate of One Penny Halfpenny the Quart, and not to be drunk or consumed on the Premises where sold -	0	5	0

SCHEDULE (B.)

Containing the Stamp Duties imposed by this Act.

Bill of Exchange (Foreign) for the Payment of Money exceeding 500*l.* drawn out of the United Kingdom, and payable or endorsed or negotiated within the United Kingdom, For every 100*l.* and Part of 100*l.* of the Money thereby made payable - - -	0	1	0
Lease or Tack of any furnished Dwelling House for any Term or Period of Time less than a Year, or any Agreement, Minute or Memorandum of Agreement, containing the Term and Conditions on which any such House is let, occupied, or held for any such Term or Period of Time, where the Rent for such Term or Period of Time shall exceed 25*l.* - - - - -	0	2	6

And

	£	s.	d.
And where the same, together with any Schedule, Receipt, or other Matter put or endorsed thereon or annexed thereto, shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words therein contained over and above the first 1,080 Words, the further progressive Duty of - - -	0	2	6
And for any Duplicate or Counterpart thereof	The same Duty or Duties.		
LICENCE to be taken out by any Hawker, Pedlar, or Petty Chapman in Great Britain who shall travel and trade on Foot, without any Horse or other Beast bearing or drawing Burden, and who shall carry his Goods, Wares, or Merchandise to and sell or expose for Sale the same at other Men's Houses only, and not in or at any House, Shop, Room, Booth, Stall, or other Place whatever belonging to or hired or occupied or used by him for selling or exposing the same for Sale in any Town to which he may travel,			
Where such Licence shall be granted for any Period not exceeding Six Months - -	1	0	0
And where the same shall be granted for any Period exceeding Six Months and not exceeding a Year - - - -	2	0	0
LICENCE to be taken out by any such trading Person in Great Britain who shall travel with One Beast of Burden only, that is to say, an Ass or a Mule, or a Horse not exceeding in Height Thirteen Hands, of Four Inches to each Hand,			
Where such Licence shall be granted for any Period not exceeding Six Months - -	2	0	0
And where the same shall be granted for any Period exceeding Six Months and not exceeding a Year - - - -	4	0	0
The several Stamp Duties herein-before contained in this Schedule to be in lieu of the Stamp Duties now payable upon the like Matters under any other Act now in force.			
LICENCE to be taken out yearly after the Fifth Day of July One thousand eight hundred and sixty-one, by every Person who shall use or exercise the Business, Occupation, or Calling of a House Agent	2	0	0

CAP. XXII.

An Act for confirming a Scheme of the Charity Commissioners for certain Charities in the Town and Parish of *Burford* in the County of *Oxford*. [28th *June* 1861.]

'WHEREAS the Charity Commissioners for *England* and *Wales*, in their Report to Her Majesty of their Proceedings during the Year One thousand eight hundred and sixty, 8th Report, dated 26th February 1861.

'sixty, have reported that they have provisionally approved and 'certified (among other Schemes for the Application and Management of Charities) a Scheme for certain Charities in the 'Town and Parish of *Burford* in the County of *Oxford*, and 'such Scheme is set out in the Appendix to their said Report: 'And whereas it is expedient that the said Scheme, as the same 'is set out in the Schedule to this Act, should be confirmed:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Scheme in Schedule confirmed.

1. The said Scheme shall be confirmed and take effect.

SCHEDULE.

SCHEME.

For the Application and Management of the several Charities in the Town and Parish of Burford in the County of Oxford, herein-after mentioned or referred to, namely:—POOLE'S ESTATE; the School, including Wisdom's, Symon's, Reynold's, Rolfe's, Richard Hunt's, and William Hunt's gifts:—THE TRADESMAN'S FUND, including all sorts of money, and Cleaveley's, Hopton's, Lenthall's, Hayter's, and Harris' Gifts:—THE FIFTEENTHS ESTATE, or John Hill's Gift:—THE GREAT ALMSHOUSE and WISDOM'S ALMSHOUSE:—THE CHURCH ESTATE, including More's, Rolfe's, and Hunt's gifts:—And the several other Charities heretofore vested in or under the management of the Feoffees or Trustees of the Burford Charities, or the Corporation of the Borough of Burford respectively.

1. The existing Corporation of the alderman, steward, bailiffs, and burgesses of the Borough of Burford is hereby dissolved, and all lands, hereditaments, and other real estate and property whatsoever, heretofore vested in or held by, the said Corporation, or by the Trustees or Feoffees of the above-mentioned Charities, or any of them, in trust for the purposes thereof respectively, shall from and after the establishment of this Scheme be vested in and held by the Official Trustee of Charity Lands and his successors, in trust for the "Burford Charity Trustees," herein-after mentioned, and to the intent that the same may be managed and administered by the said last-mentioned Trustees in conformity with the provisions of this Scheme: Provided nevertheless, that all subsisting legal debts and liabilities of the said Corporation shall be in the first instance paid or provided for by the said Trustees out of the income of the estates heretofore held in trust for or for the use of the said Corporation.

2. All sums in the public stocks or funds belonging to or held by any person or persons in trust for the said Charities, or any of them, or for the said Corporation, shall be forthwith transferred into the name of the Official Trustees of Charitable Funds, in trust for the said Charities respectively.

3. The

3. The said Charities, and the estates and property thereof, shall from and after the establishment of this Scheme be under the management of one body of Trustees, to be called "The Burford Charity Trustees," who shall consist of the vicar for the time being of the parish of Burford (who shall be an ex-officio Trustee), and eleven non-official Trustees, to be appointed as herein-after mentioned. The non-official Trustees shall respectively be fit and competent persons, resident in the parish of Burford, if such can be found; but residents in any of the adjoining parishes shall be eligible for appointment, upon any default of a sufficient number of duly qualified persons residing in the said parish.

4. The first non-official Trustees shall be appointed by the Board of Charity Commissioners for England and Wales within three calendar months after the establishment of this Scheme. The office of any non-official Trustee shall be vacated by his resignation, bankruptcy, or insolvency, or by his ceasing to be such resident as aforesaid, or omitting to attend a meeting of the Trustees for two consecutive years; and as soon as conveniently may be after the occurrence of any such vacancy, or after the death of any non-official Trustee, the remaining Trustees of the said Charities shall, with the sanction of the said Board, appoint some fit and proper person, resident within the limits aforesaid, to fill the vacancy to be so occasioned, so as to keep up the full number of eleven non-official Trustees.

5. The Trustees, with the approval of the said Board, shall forthwith establish suitable regulations for the conduct of their proceedings, and the business connected with the administration of the said Charities, and may from time to time, with the like approval, vary such regulations or any of them.

6. The Trustees shall apply the net annual income of the Charity known as "The Fifteenths Estate" to the purposes of the national or parochial school in the parish of Burford.

7. The almshouse known as "Wisdom's Almshouse" shall be abolished; and the Trustees shall, with the sanction of the said Board, sell or otherwise dispose of the building and premises thereunto belonging, and apply the income to be derived from the proceeds of such sale or disposition to the purposes of "The Great Almshouse" in Burford, which shall be placed under suitable regulations, to be established by the Trustees, with the approval of the said Board.

8. The Trustees shall apply the net annual income of "The School Estate" and "The Tradesmen's Fund" respectively, and so much of the net annual income of "Poole's Estate" as has been heretofore applicable for the benefit or purposes of the Corporation of the borough of Burford, to the purposes of the Burford free school, as re-established and regulated in accordance with the provisions of this scheme.

9. The said school so to be re-established shall be for the instruction and benefit of the sons of the inhabitants of the town of Burford and its neighbourhood; and the Trustees, with the

sanction of the said Board, shall forthwith make and establish proper regulations prescribing the nature of the instruction to be given at the said school, and dividing the same into separate departments, and providing for the appointment and removal of the scholars, masters, and teachers respectively, and fixing the amounts of the stipends of the masters and teachers, and of the capitation fees (if any) to be paid by the scholars, and generally for the constitution, government, and conduct of the said school, and the masters and scholars thereof; and the Trustees, with the like sanction and approval, may from time to time vary or modify such rules and regulations, or any of them.

10. The several other above-mentioned Charities, for the administration of which no special provision has been heretofore made, shall be managed and administered by the said "Burford Charity Trustees," in conformity with their respective trusts, according to suitable regulations to be established by the said Trustees, with the approval of the said Board.

11. If any doubt or question shall arise amongst the Trustees or any of them as to the proper construction or application of any of the provisions of this Scheme, or the management of the Charities, application may be made by the Trustees to the Charity Commissioners for England and Wales, for their opinion and advice thereon, which opinion and advice, when given, shall be binding on the Trustees; and any provision in this Scheme which may require to be explained or more closely adapted to the circumstances for the time being of the Charities, may be explained and adapted accordingly, by an order of the Board of Charity Commissioners for England and Wales, to be made upon the application of the Governors to the said Board; and any provision in this Scheme which shall be found inconvenient or objectionable may be modified accordingly by an order of the said Board; provided that no alteration shall be made by any such order involving a deviation from the main objects and principles of this Scheme.

CAP. XXIII.

An Act for confirming a Scheme of the Charity Commissioners for certain Charities in the Borough of *Reading*.

[28th *June* 1861.]

8th Report, dated 26th February 1861.

'WHEREAS the Charity Commissioners for *England* and *Wales*, in their Report to Her Majesty of their Proceedings during the Year One thousand eight hundred and sixty, have reported that they have provisionally approved and certified (among other Schemes for the Application and Management of Charities) a Scheme for certain Charities in the Borough of *Reading*, and such Scheme is set out in the Appendix to their said Report: And whereas it is expedient that the said Scheme as the same is set out in the Schedule to this Act should be confirmed:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament

Parliament assembled, and by the Authority of the same, as follows:

1. The said Scheme shall be confirmed and take effect. Scheme in Schedule confirmed.

SCHEDULE.

SCHEME for the Application and Management of the herein-after mentioned CHARITIES in the Borough of READING:—As to A'LARDER'S ALMSHOUSES and BERNARD HARRISON'S ALMSHOUSES, and the several subsidiary foundations and endowments heretofore created or appropriated for the maintenance or benefit of the same almshouses respectively, or the inmates thereof:—And also as to the several Charities of ROBERT BOYER, JOHN BALLE, RICHARD IRONSIDE, AUGUSTINE KNAPP, JOHN NOYSE, DR. SWADDON, RICHARD TURNOR, RODOLPH WARCUPP, THOMAS LANE, JOSEPH CARTER, PETER WYBOE, WILLIAM THORNE, MARY WORSLEY, EDWARD KEMYS, EDWARD HAMBLIN, WILLIAM BRACKSTONE, JOHN EYRE, WILLIAM JOANES, THOMAS DEANE, JAMES POCOCK, WILLIAM IREMONGER, and MARY LOVE.

1. The Trustees of the General Municipal Charities of the borough of Reading for the time being shall be the Trustees of the several last-mentioned Charities, which shall be called "The Consolidated General Almshouse Charities of Reading." Consolidated General Almshouse Charities.

2. The several sums of stock belonging to or held in trust for the said Charities respectively shall be forthwith transferred into the name of the Official Trustees of Charitable Funds, by whom the same shall be placed to the account of the General Almshouse Charities of the Borough of Reading, and the yearly dividends to arise from the said stock, after the receipt thereof by the said Official Trustees, and the income of the other property belonging to the said Charities, shall be paid to and received by the Trustees of the same Charities, and shall be carried by them into one fund, out of which the said Trustees, after providing for the payment of repairs, insurance, salaries, and other necessary outgoings and expenses of management, shall from time to time cause the vault of Mary Love, in the church of Saint Lawrence, to be kept in proper repair, and shall pay to each of the present inmates of A'Larder's and Harrison's Almshouses respectively, so long as they shall respectively retain their appointments, a weekly stipend of 7*s.*, and a gift of 2*l.* annually at Christmas.

3. The surplus annual income of the said Charities which shall remain after providing for the payments and expenses aforesaid shall be accumulated by the said Trustees for the formation of a building fund, and shall for that purpose be invested by them from time to time in the purchase of 3*l.* per cent. consolidated annuities, or of any other stock in which trust funds may be legally invested, in the names of some four of the said Trustees.

4. Until new almshouses shall be constructed, as herein-after mentioned, the Trustees shall be at liberty to abstain from filling up the vacancies to be occasioned by death or otherwise amongst the inmates of the aforesaid present almshouses respectively, and

to carry the proportions of the income so becoming unappropriated to the building fund, and the Trustees shall also have power from time to time to remove the inmates of one of the said almshouses to fill up the vacancies in the other.

5. Subject to the duty of providing suitable accommodation for the present almspeople, the Trustees, with the consent of the Charity Commissioners, shall be at liberty to sell the said almshouses or either of them, and the produce of any such sale shall be carried to the building fund aforesaid.

6. When the building fund shall amount to a sufficient sum, the Trustees shall, with the consent of the Charity Commissioners, erect, upon a convenient site to be purchased or acquired by the said Trustees in or near the borough of Reading, new almshouses for the accommodation of as many poor people as to them may seem expedient, not exceeding the number of 24 in the first instance, and upon the completion of such new almshouses the then surviving or continuing inmates of the present almshouses (if any) shall be transferred thereto.

7. The inmates of the almshouses shall in future be selected and appointed from time to time by the Trustees thereof, at proper meetings of their body, from poor persons of good character who shall have resided within the borough of Reading at least three consecutive years next before their election, and during that time shall not have been in the receipt of parish relief, with preference for those persons who have been reduced by misfortune from better circumstances, and who may be incapacitated from work or labour by age, illness, or infirmity. The inmates shall, so far as conveniently may be, be men and women in equal numbers, but the Trustees shall be at liberty, under special circumstances, to vary those proportions.

8. Every almsperson shall be removable by the Trustees for any reasonable cause, and may also be suspended by the Trustees from the receipt of any emolument or benefit under the Charities during such time as the Trustees shall think fit or expedient.

9. Every almsperson to be hereafter appointed shall be paid out of the income of the Consolidated Charities, so far as the same shall be sufficient for the purpose, a weekly stipend of 7*s.*, and also a donation of 2*l.* at Christmas.

10. The Trustees, with the consent of the Charity Commissioners, shall have power from time to time to vary the number of the almspeople and the weekly stipends and other gifts or benefits to be paid or given to them respectively out of the income of the Charities, and to make regulations for the better government of the almshouses and inmates generally, which regulations shall be binding on all the inmates and other persons concerned.

11. Notwithstanding the provisions herein-before contained, the Trustees shall be at liberty to continue to any deserving poor persons who shall not have been in the receipt of parochial relief during the then next preceding period of one year any periodical payment or gift heretofore made to them out of the income of any of the Charities hereby consolidated.

12. The

Reading Charities.

12. The Trustees, instead of pulling down or selling the existing buildings known as "Harrison's Almshouses," shall be at liberty, with the sanction of the Charity Commissioners, to repair and retain the same for permanent occupation as part of the almshouses contemplated by this scheme.

As to KENDRICK'S ALMSHOUSES, SIR THOMAS VACHELL'S ALMSHOUSES, and HALL'S ALMSHOUSES, and the several subsidiary foundations and endowments heretofore created or appropriated for the maintenance or benefit of the same almshouses respectively or the respective inmates thereof, and also as to RICHARD JOHNSON'S CHARITY.

Consolidated Church Almshouse Charities.

13. The Trustees of the Municipal Church Charities of the said borough of Reading for the time being shall be the Trustees of the said several last-mentioned Charities, which shall be called "The Consolidated Church Almshouse Charities of Reading."

14. The said Trustees shall cause the sum of 20*l.* consolidated 3*l.* per cent. bank annuities to be transferred into the names of the Official Trustees of Charitable Funds, out of the funds of the said last-mentioned Charities, for the purpose herein-after mentioned, and the remaining stocks of all denominations belonging to the same several Charities shall be transferred into the names of the said Official Trustees, by whom the same shall be placed to the account of "The Church Almshouse Charities of Reading," and the yearly dividends and income to arise from such last-mentioned stocks, and from the other property belonging to the said Charities, shall be paid to and received by the said Trustees of the said Charities, and shall be carried into one fund, out of which the Trustees, after providing for the payment of repairs, insurance, salaries, and other necessary outgoings and expenses of management, shall pay to the present respective inmates of the said almshouses known respectively as Kendrick's, Vachell's, and Hall's Almshouses, so long as they shall respectively retain their appointments, such weekly stipends and allowances as the amount of such dividends and income will from time to time permit, and the Trustees shall consider fit and expedient.

15. Any surplus annual income of the said Charities which shall remain after providing for the payments aforesaid shall be accumulated for the formation of a building fund, and shall for that purpose be invested from time to time in the purchase of 3*l.* per cent. consolidated bank annuities, or in any other stocks in which trust funds may be legally invested, in the names of some four of the said Trustees.

16. When the building fund shall amount to a sufficient sum, the said Trustees shall be at liberty, with the consent of the Charity Commissioners, to purchase or acquire a site in or near the borough of Reading for the erection of new almshouses, and, with the like consent, to erect thereon such suitable almshouses for the accommodation of so many poor people, not exceeding 12 in the first instance, as to them may seem expedient, and upon the

the completion of such new almshouses the then surviving or continuing inmates of the present almshouses (if any) shall be transferred thereto.

17. The inmates of the almshouses shall in future be selected and appointed from time to time by the Trustees thereof, at proper meetings of their body, from poor persons of good character, being members of the Church of England, who shall have resided in the borough of Reading at least three consecutive years next before their election, and during that time shall not have been in the receipt of parish relief, with preference for those persons who have been reduced by misfortune from better circumstances, and who may be incapacitated from work or labour by age, illness, or infirmity. The inmates shall, so far as conveniently may be, be men and women in equal numbers, but the Trustees shall be at liberty, under special circumstances, to vary those proportions.

18. The provisions of the 4th, 5th, 8th, 9th, 10th, and 11th clauses of this scheme relating to the Consolidated General Almshouse Charities shall be applicable to the Consolidated Church Almshouse Charities, as if the same provisions were here repeated.

As to the several Charities known respectively as THOMAS LYDELL'S CHARITY, EDWARD SIMEON'S BREAD GIFT, SIR JOHN SIMEON'S BREAD GIFT, and SIR THOMAS WHITE'S CHARITY FOR LOANS.

Consolidated Municipal Educational Charities.

19. The said Trustees of the Municipal Church Charities of the Borough of Reading for the time being shall be the Trustees of the several last-mentioned Charities, which shall be called "The Consolidated Municipal Educational Charities of the Borough of Reading."

20. The said Trustees shall cause the sum of 33*l.* 6*s.* 8*d.* consols to be transferred into the name of the Official Trustees of Charitable Funds, out of the funds of the said last-mentioned Charities, for the purpose herein-after mentioned. The remaining stocks of all denominations belonging to the same Charities shall be transferred into the name of the said Official Trustees, to an account to be called "The Account of the Reading Consolidated Municipal Educational Fund," and all monies now belonging to or which may hereafter be received by the said Trustees in respect of Sir Thomas White's Charity, whether as accruing income or in respect of the repayment of loans or otherwise, shall be invested by them from time to time in the purchase of 3*l.* per cent. consolidated bank annuities, in the name of the said Official Trustees, to be carried to the same account.

21. The yearly dividends and income to arise from all such stocks, and from the other property belonging to the said last-mentioned Charities, shall be paid to and received by the Trustees of the same Charities, and shall be carried by them into one fund, which (after the payment thereout of repairs, insurance, salaries, keeping in proper repair the vault of Sir John Simeon in the church

church of Saint Giles, and other necessary outgoings and expenses of management,) shall be divided by the said Trustees annually into three equal parts; and one of such third parts shall be applied by the said Trustees, at their discretion, for or towards the support or benefit of the National Schools, now or hereafter to be established in connexion with the three parish churches in Reading, and with the other churches or chapels in Reading in communion with the Church of England, regard being had in the apportionment and distribution thereof to the number of children for the time being attending each of the said schools; and the remaining two third parts shall be applied by the said Trustees in equal shares for or towards the support or benefit of the two schools in Reading known respectively as the Green Girls School and the Blue Coat School; provided nevertheless, that the Trustees, with the consent of the Charity Commissioners, may from time to time vary the proportions in which the said two third parts shall be divided between the said two last-mentioned schools, and that the payment to be so made towards the support of the aforesaid Green Girls School shall not confer upon the said Trustees any right of interfering in the government or management of the same school.

As to the several Charities known respectively as JOHN BLAGRAVE'S CHARITY; WILLIAM BOUDRY'S and JOHN RICHARD'S CHARITY; and MARTIN ANNESLEY'S CHARITY.

Consolidated Charities for Female Servants.

22. The said Trustees of the Municipal Church Charities of the borough of Reading for the time being shall be the Trustees of the said several last-mentioned Charities, which shall be called "The Consolidated Charities for Female Servants at Reading."

23. The said Trustees shall cause the sum of 27*l.* 16*s.* 3*l.* per cent. consolidated annuities to be transferred out of the funds of the said last-mentioned Charities into the name of the Official Trustees of Charitable Funds, for the purposes herein-after mentioned. The remaining stock of all denominations belonging to the same Charities shall be transferred into the name of the said Official Trustees of Charitable Funds, and shall be placed by them to an account to be called "The Account of the Consolidated Charities for Female Servants at Reading," and the yearly dividends and income to arise from such stock and the other property belonging to the said Charities shall be paid to and received by the Trustees of the said Charities, and shall be carried by them into one fund, which, after the payment of insurance, repairs, salaries, and other necessary outgoings and expenses of management, shall be distributed by the said Trustees annually at Easter in gifts of not less than 10*l.* nor more than 20*l.* each to meritorious female servants, being members of the Church of England, who shall have served for a period of not less than five consecutive years in one continued service with some respectable householder within some one of the three parishes of Reading, and shall produce certificates of good character and conduct, to the satisfaction of the Trustees. Any surplus income of the said Charities

Charities which shall not be required for distribution in manner aforesaid in any one year may be carried over by the Trustees to the next year's account; but in case it shall be found difficult or expedient to expend the whole of the income of the said Charities for the time being in such distribution, the Trustees may, with the sanction of the said Board, apply the surplus income thereof in any other manner for the benefit of poor deserving women, being members of the Church of England residing in the said borough of Reading.

Consolidated Gifts to Parish Officers of Saint Lawrence.

24. The said several sums of 20*l.*, 33*l.* 6*s.* 8*d.*, and 27*l.* 16*s.* consolidated bank annuities, making together 81*l.* 2*s.* 8*d.* consols, to be transferred as aforesaid into the name of the Official Trustees of Charitable Funds, shall be placed by the said Official Trustees to an account to be called "The Account of the Consolidated Gifts to the Parish Officers of St. Lawrence in Reading," and the dividends shall be paid or remitted by the said Official Trustees to the vicar for the time being of the said last-mentioned parish, who shall pay thereout annually—

	s.	*d.*
To the clerk of the same parish, if there be one	4	4
To the bell-ringer - - - -	3	4
To the sexton - - - -	1	0
To the churchwardens for the repairs of the parish church - - - -	10	0

and shall retain the residue of the same dividends for his own use.

As to Elizabeth Deane's Charity.

25. The sum of 156*l.* 17*s.* 5*d.* reduced 3*l.* per cent. annuities, forming the endowment of this Charity, shall be transferred to the Official Trustees of Charitable Funds, who shall pay or remit the dividends thereof from time to time to the chaplain for the time being of the county gaol at Reading, to be by him applied, at his discretion, for the benefit of poor prisoners on their discharge from such gaol.

As to Richard Aldworth's Charity.

26. The annual expenditure out of the income of this Charity in providing clothing and bread for distribution amongst 20 poor aged persons shall henceforth be discontinued, and the proportion of the annual income of the Charity heretofore applicable to the purposes of such expenditure shall be applied to the educational objects of the same foundation.

As to the whole of the Charities comprised in this Scheme.

27. The Trustees of the said several Charities respectively, with the consent of the Charity Commissioners for England and Wales, shall have power from time to time to make regulations for the conduct and government, for the better management and application

application of the same Charities respectively and the recipients thereof.

28. If any doubt or question shall arise as to the proper construction or application of any of the provisions of this scheme or the management of the Charities, application may be made by the Trustees to the Charity Commissioners for England and Wales for their opinion and advice thereon, which opinion and advice, when given, shall be binding on the Trustees; and any provision in this scheme which may require explanation or modification may be explained or modified accordingly, by an order either of the Court of Chancery or of the Board of Charity Commissioners for England and Wales, to be made upon the application of the Trustees to the said Court or Board; provided that no alteration shall be made by any such order involving a deviation from the main objects and principles of this scheme.

CAP. XXIV.

An Act for confirming a Scheme of the Charity Commissioners for the Hospital of Lady *Katherine Leveson* at *Temple Balsall* in the County of *Warwick*.

[28th *June* 1861.]

8th Report, dated 26th February 1861.

'WHEREAS the Charity Commissioners for *England* and *Wales*, in their Report to Her Majesty of their Proceedings during the Year One thousand eight hundred and sixty, have reported that they have provisionally approved and certified (among other Schemes for the Application and Management of Charities) a Scheme for the Hospital of Lady *Katherine Leveson* at *Temple Balsall* in the County of *Warwick*, and such Scheme is set out in the Appendix to their said Report: And whereas it is expedient that the said Scheme, as the same is set out in the Schedule to this Act, should be confirmed:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Scheme in Schedule confirmed.

1. The said Scheme shall be confirmed and take effect.

SCHEDULE.

SCHEME for the Regulation and Management of the Hospital of LADY KATHERINE LEVESON at Temple Balsall in the county of Warwick.

1. The full number of almswomen to be appointed to the hospital shall in future be 35.

2. The almswomen shall be appointed from time to time by the Governors at some meeting of their body, and shall respectively be poor women of good character, either widows or unmarried, and not less than 60 years of age at the time of appointment, with a preference for those persons, having the qualifications aforesaid, who shall have been reduced from better circumstances by accident or misfortune; provided nevertheless,

theless, that poor women, who are disabled by illness or infirmity from maintaining themselves, shall be eligible for appointment under the age of 60 years, if otherwise duly qualified as aforesaid.

3. Twenty of the almswomen shall always be taken from residents in the hamlet of Balsall, qualified as aforesaid, if such can be found; and the remainder of the almswomen (including any deficiency in the aforesaid number of 20) may be taken from persons, qualified as aforesaid, who shall be resident either in the said hamlet or in the adjoining parishes of Barston and Hampton-in-Arden respectively, including the hamlets within the said parish of Hampton-in-Arden.

4. Each almswoman shall receive in future, out of the income of the Charity, the sum of 6*s.* per week, in lieu of the present weekly and other pecuniary allowances and payments, and shall also be provided with such reasonable quantities of bread, milk, and coal or other fuel, at the cost of the Charity, as the Governors shall from time to time direct. Each almswoman shall also be provided yearly, at the cost of the Charity, with a grey cloth gown, marked as required by the will of Lady Katherine Leveson, and a suitable bonnet and shawl.

5. The Governors shall have power to remove or expel, or to suspend temporarily from all emoluments under the Charity any almswoman who shall be guilty of immorality, breach of rules, or other misconduct, or who shall become of unsound mind, or shall cease from any alteration of her circumstances to be a proper object of the Charity.

6. The Governors shall from time to time appoint and employ a competent medical practitioner to attend the almswomen, and to supply them with medicines and medical appliances in sickness or need, and may pay him a reasonable salary out of the revenues of the Charity in respect of his attendance, and the medicines and other articles supplied by him; and the Governors may also appoint one or more nurse or nurses to attend upon the almswomen, when required, and may provide such nurses with apartments, and pay them suitable wages out of the income of the Charity.

7. In lieu of the contingent benefits given by the founder of the Charity to the poor of the several parishes of Long Itchington in the county of Warwick, Trentham in the county of Stafford, and Lilleshall in the county of Salop, there shall be four pensioners for each of those parishes respectively, who shall be appointed in accordance with the provisions herein-after contained.

8. The pensioners shall respectively be poor women resident in the parish for which they respectively shall be appointed, and having in all other respects, except their place of residence, the same qualifications which are herein-before prescribed for the said almswomen; and such pensioners respectively shall be appointed from time to time by the Governors of the hospital, upon the recommendation of the incumbent or officiating minister and churchwardens of the parish for which the appointment shall

shall be made, or the majority of them; and such incumbent or minister and churchwardens respectively, upon forwarding any such recommendation to the Governors, shall certify to them that the person so recommended is duly qualified for appointment as a pensioner, in accordance with the provisions of this scheme. If the said incumbent or officiating minister and churchwardens shall omit to transmit such recommendation and certificate to the Governors before the expiration of two calendar months next after the time when the deprivation of any pensioner shall have been notified to them by the Governors, as herein-after mentioned, or next after the occurrence of any vacancy amongst the pensioners, otherwise than by deprivation, the Governors may proceed to make the appointment to fill such vacancy without any such recommendation as aforesaid.

9. Each pensioner shall be entitled to an allowance of 8*s.* per week out of the income of the Charity; and the amount of the pensioners allowances shall be paid by the Governors half-yearly in advance to the incumbent or officiating minister and one of the churchwardens of the respective parishes to which such pensioners shall respectively belong, who shall pay and distribute the same weekly amongst the pensioners.

10. The pensioners shall respectively vacate their appointments upon ceasing to reside in the respective parishes for which they shall have been appointed, and they may respectively be deprived or suspended by the Governors for disqualification, improper conduct, or other sufficient cause; but every such deprivation or suspension shall be forthwith notified by the Governors to the incumbent or officiating minister and the churchwardens of the parish for which the pensioner so deprived or suspended shall have been appointed.

11. The Governors, with the approval of the Charity Commissioners for England and Wales, may prescribe from time to time suitable regulations for the management and administration of the branch of the Charity relating to the pensioners, subject to the provisions of this scheme, and such regulations shall be binding on the pensioners and all other persons concerned.

12. The boys and girls schools which have been established by the Governors in the hamlet of Balsall shall be maintained and carried on by them out of the funds of the Charity, for the instruction of children residing in the said hamlet or in the manor of Balsall; and the Governors, with the approval of the Board of Charity Commissioners for England and Wales, shall make and establish suitable rules for the conduct and regulation of the said schools, and the masters, teachers, and scholars thereof respectively, and for fixing and determining the number, salaries, and emoluments of the master and teachers, and their respective qualifications and duties; and, with the like approval, may from time to time alter and vary such rules.

13. Subject to a preference which shall always be given to children resident in the hamlet of Balsall for admission to the schools, the Governors may direct that children residing in any of the adjoining or neighbouring parishes or hamlets shall be admissible

admissible to the schools or any of them, subject to any suitable conditions or regulations which the Governors may prescribe.

14. The church or chapel of Saint Mary at Balsall shall be maintained in proper repair by the Governors out of the income of the Charity.

15. In case an ecclesiastical district shall be legally assigned to the said church or chapel, the Governors may assign and pay to the person who shall for the time being hold the office of perpetual curate or minister of the said church or chapel, out of the income of the Charity, an annual stipend not exceeding 100*l.* (in addition to the annuity of 50*l.* now payable to the perpetual curate or minister of the said chapel under the will of Lady Ann Holbourne), as a remuneration for his performing such services in the said church or chapel as shall be required by the bishop of the diocese or other competent authority, and for visiting and giving spiritual attendance and ministration to the inhabitants of the said district, and upon condition that he shall keep a curate to assist him in the performance of the above-mentioned duties.

16. The Governors shall pay out of the income of the Charity an annual salary not exceeding 10*l.* to a clerk and sexton to officiate in the said church or chapel, who shall be nominated by the minister or perpetual curate thereof, and shall hold his office during the pleasure of the said minister or perpetual curate, and the Governors shall also pay and defray the reasonable and proper expenses of conducting Divine Service in the said church or chapel.

17. The master of the hospital shall be a clergyman in Holy Orders of the Church of England, and shall be appointed by the Governors at a special meeting to be convened for the purpose.

18. The Governors shall pay to the master out of the income of the Charity an annual salary of 200*l.* by half-yearly payments, and shall allow him to occupy the present master's residence, garden, and the land at present attached thereto, rent free.

19. The duties of the master shall be to read prayers to the almswomen, as the Governors may direct, to visit and administer spiritual consolation to the almswomen, and, subject to the authority and directions of the Governors, to exercise a general superintendence and control over the hospital and schools, and their respective establishments.

20. The master, with the permission of the Governors, may hold the office of minister or perpetual curate of the church or chapel at Balsall.

21. The Governors, with the sanction of the Charity Commissioners for England and Wales, shall have power to remove or suspend the master for incapacity, immorality, neglect of duty, permanent illness or infirmity, or other sufficient cause; and within one month after the removal of the master, or of his legally ceasing to hold his office, he shall deliver up to the Governors, or to any person appointed by them, the possession of the dwelling-house, garden, and land, and schoolrooms belonging to the Charity; and in default thereof the Governors shall be at liberty

to

to recover such possession under the powers contained in the 18th section of the Act 4 & 5 Vict. cap. 38.

22. The Governors shall appoint some competent person as Bailiff, who shall act in the supervision of the estates and property of the Charity, and the collection and receipt of the rents and income, and shall perform all such duties connected with the office of bailiff as the Governors shall direct; and the Governors shall pay to the bailiff, out of the income of the Charity, an annual salary not exceeding 100*l.*

23. The surplus income of the Charity, if any, which shall not be required for the purposes aforesaid, shall be applied by the Governors in the first instance in forming a suitable and sufficient reserve fund for extraordinary repairs and other contingencies, and, subject thereto, such surplus income may be applied, with the sanction of the Charity Commissioners for England and Wales, and in such manner as they may authorize or direct, to increasing the number, either of the said almswomen to be taken from the hamlet of Balsall aforesaid, or of the said pensioners respectively, or for the purposes of education in the hamlet of Balsall aforesaid, or in the said parishes of Long Itchington, Trentham, and Lilleshall respectively, or any of them, due regard being had in all cases to the preferential claim of the aforesaid hamlet of Balsall to the benefit of the said Charity.

24. Five Governors shall constitute a quorum at any meeting, and the majority of the Governors present at any meeting, of which seven clear days notice shall have been given, shall have full power to bind the whole of the Governors.

25. Subject to the provisions herein contained, the Governors, with the sanction of the Charity Commissioners for England and Wales, may from Time to Time prescribe suitable rules for the administration and management of the Charity, and its estates and property, and for the regulation of the proceedings of the Governors, and for the government of all members and officers of the Charity; provided that such rules shall not be inconsistent or at variance with the provisions or objects of this Scheme.

26. If any doubt or question shall arise as to the construction or application or effect of any of the provisions herein contained, the Governors shall apply to the Charity Commissioners for England and Wales for their advice and opinion thereon, which, if given, shall be binding on all persons affected thereby.

CAP. XXV.

An Act to enable the Secretary of State in Council of *India* to raise Money in the United Kingdom for the Service of the Government of *India*. [28th *June* 1861.]

'WHEREAS the Exigencies of the Public Service in *India* require that the Secretary of State in Council of *India* 'should be enabled to raise Money in the United Kingdom on 'the Credit of the Revenues of *India*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons,

in this present Parliament assembled, and by the Authority of the same, as follows:

Power to the Secretary of State in Council of India to raise any Sum not exceeding Four Millions.

1. It shall be lawful for the Secretary of State in Council of *India*, at any Time or Times before the Thirtieth Day of *April* One thousand eight hundred and sixty-two, or, if Parliament be then sitting, before the End of the then Session of Parliament, to raise in the United Kingdom, for the Service of the Government of *India*, any Sum or Sums of Money not exceeding in the whole Four Millions, and such Sum or Sums may be raised by the Creation and Issue of Bonds or Debentures, or Capital Stock bearing Interest, or Annuities, or partly by one of such Modes and partly by another or others.

Bonds to be signed by Members of Council, &c.

2. All Bonds issued under the Authority of this Act may be issued under the Hands of Two Members of the Council of *India*, and countersigned by the Secretary of State for *India* or One of his Under Secretaries, or his Assistant Under Secretary, and shall be for such respective Amounts, payable after such Notice, and at such Rate or Rates of Interest as the said Secretary of State in Council may think fit.

Debentures may be issued.

3. All Debentures issued under the Authority of this Act may be issued under the Hands of Two Members of the Council, and countersigned as aforesaid, for such respective Amounts, and at such Rate or Rates of Interest, as the Secretary of State in Council may think fit, and shall be issued at or for such Prices and on such Terms as may be determined by the Secretary of State in Council.

As to Payment of Principal and Interest on Debentures.

4. All Debentures issued under the Authority of this Act shall be paid off at Par at a Time or Times to be mentioned in such Debentures respectively; and the Interest on all such Debentures shall be paid half-yearly on such Days as shall be mentioned therein; and the Principal Monies and Interest secured by such Debentures shall be payable either at the Treasury of the Secretary of State in Council in *London* or at the Bank of *England*.

Debentures and Coupons, how transferable.

5. All or any Number of the Debentures issued under the Authority of this Act, and all Right to and in respect of the Principal and Interest Monies secured thereby, shall be transferable either by the Delivery of such Debentures respectively, or, at the Discretion of the Secretary of State in Council, by Deed; provided that the Coupons for Interest annexed to any Debenture issued under the Authority of this Act shall pass by Delivery.

Capital Stock and Annuities may be created and issued.

6. Any Capital Stock created under the Authority of this Act shall bear such a Rate of Interest, and any Annuities to be created under the Authority of this Act shall be at such Rate *per Centum per Annum*, as the Secretary of State in Council may think fit; and such Capital Stock and such Annuities may be issued on such Terms as may be determined by the Secretary of State in Council; and any such Capital Stock may bear Interest, during such Period, and be paid off at Par at such Time, as the Secretary of State in Council may prescribe previously to the Issue of such Capital Stock; and such Annuities may be terminable at such Period as the Secretary of State in Council may prescribe previously to the Issue of such Annuities.

7. In

Transfer Books of such Capital Stock and Annuities to be kept.

7. In case of the Creation and Issue of any such Capital Stock or of any such Annuities, there shall be kept, either at the Office of the Secretary of State in Council in *London* or at the Bank of *England*, Books wherein Entries shall be made of the said Capital Stock and Annuities respectively, and wherein all Assignments or Transfers of the same respectively, or any Part thereof respectively, shall be entered and registered, and shall be signed by the Parties making such Assignments or Transfers, or, if such Parties be absent, by his, her, or their Attorney or Attornies thereunto lawfully authorized by Writing under his, her, or their Hands and Seals, to be attested by Two or more credible Witnesses; and the Person or Persons to whom such Transfer or Transfers shall be made may respectively underwrite his, her, or their Acceptance thereof; and no other Mode of assigning or transferring the said Capital Stock or the said Annuities, or any Part thereof respectively, or any Interest therein respectively, shall be good and available in Law, and no Stamp Duties whatsoever shall be charged on the said Transfers or any of them.

Annuities Personal Estate.

8. All Annuities created and issued under the Authority of this Act shall be deemed and taken to be Personal and not Real Estate, and shall go to the Executors or Administrators of the Person or Persons dying possessed thereof, interested therein, or entitled thereto, and not to the Heir-at-Law, nor be liable to any Foreign Attachment by the Custom of *London*, or otherwise.

The whole Amount charged on Revenue of India not to exceed Four Millions.

9. The whole Amount of the Principal Monies to be charged on the Revenues of *India* under this Act shall not exceed Four Millions; and no Money shall be raised or secured under the Authority of this Act after the said Thirtieth Day of *April* One thousand eight hundred and sixty-two, or, if Parliament be then sitting, after the End of the then Session of Parliament, save for or upon the Repayment of Principal Monies previously secured under this Act as herein-after provided.

Power to raise Money for Payment of Principal Money.

10. Upon or for the Repayment of any Principal Money secured under the Authority of this Act, the Secretary of State in Council may at any Time borrow or raise, by all or any of the Modes aforesaid, all or any Part of the Amount of Principal Money repaid or to be repaid, and so from Time to Time as all or any Part of any Principal Money under this Act may require to be repaid, but the Amount to be charged upon the Revenues of *India* shall not in any Case exceed the Principal Money required to be repaid.

Securities, &c. to be charged on Revenues of India.

11. All Bonds and Debentures to be issued under this Act, and the Principal Monies and Interest thereby secured, and all Capital Stock to be issued under this Act, and the Interest thereon, and all Annuities to be issued under this Act, shall be charged on and payable out of the Revenues of *India*, in like Manner as other Liabilities incurred on account of the Government of the said Territories.

5 & 6 W. 4. c. 64. s. 4. extended to Bonds and Debentures under this Act

12. The Provisions contained in Section Four of the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Sixty-four, with respect to the Composition and Agreement for the Payment by the *East India*

Company of an annual Sum in lieu of Stamp Duties on their Bonds, and the Exemption of their Bonds from Stamp Duties, shall be applicable with respect to the Bonds and Debentures to be issued under the Authority of this Act, as if such Provisions were here repeated and re-enacted with reference thereto.

Forgery of Debentures to be punishable as Forgery of East India Bonds.

13. All Provisions now in force in anywise relating to the Offence of forging or altering, or offering, uttering, disposing of, or putting off, knowing the same to be forged or altered, any *East India* Bond, with Intent to defraud, shall extend and be applicable to and in respect of any Debenture issued under the Authority of this Act, as well as to and in respect of any Bond issued under the same Authority.

Returns to be annually prepared of Monies raised on Loan, &c., and presented to Parliament.

14. Provided always, That on or before the First Day of *February* in each Year the said Secretary of State in Council shall prepare or cause to be prepared a Return of all Monies raised on Loan under the Provisions of this Act; also a Return of all Stocks, Loans, Debts, and Liabilities then chargeable on the Revenues of *India*, at home and abroad, up to the latest Period of Time to which such Return can be made out: That all such Returns shall be presented to both Houses of Parliament on or before the First Day of *February* in each Year, if Parliament is then sitting, and if Parliament is not sitting, then such Returns shall be presented within Ten Days of the First Meeting of Parliament after the First Day of *February* in each Year.

Saving Powers of the Secretary of State in Council.

15. This Act shall not prejudice or affect any Power of raising or borrowing Money vested in the said Secretary of State in Council at the Time of passing thereof.

CAP. XXVI.

An Act to amend the *Dublin* Improvement Act, 1849.

[28th *June* 1861.]

12 & 13 Vict. c. 97.

'WHEREAS by "The *Dublin* Improvement Act, 1849," certain Powers were vested in the Right Honourable the Lord Mayor, Aldermen, and Burgesses of *Dublin*, (herein-after called "the Corporation,") for the Improvement of the Borough of *Dublin*; and it is expedient that further and additional Powers should be granted to the Corporation for improving the Line of Streets in the said Borough, and for causing the Removal of Projections therein, and for making and enforcing the making of Branch Drains from Houses and Buildings communicating with the Main Drains or Sewers within the said Borough, and for other Purposes; but the same cannot be effected without the Aid and Authority of Parliament:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The *Dublin* Improvement Act Amendment Act, 1861."

Construction of Acts.

2. The recited Act and the Acts incorporated therewith and this Act shall be read and construed together as One Act.

3. The

Interpretation of Terms.

3. The several Meanings assigned to certain Words and Expressions in the recited Act and in the Acts incorporated therewith shall extend and apply to the same Words and Expressions when used in this Act, unless there be something in the Subject or Context repugnant to such Construction, and the Word "Corporation" in this Act shall include "Council;" and the Word "Owner" shall mean the Person for the Time being receiving the Rackrent of the House or Building in connexion with which the said Word is used, whether on his own Account or as Agent or Trustee for any other Person who would so receive the same if the said House or Building were let at a Rackrent.

Limits of Act.

4. The Limits of this Act shall be the Municipal Boundaries of the Borough of *Dublin*.

Council to execute Act.

5. The Council of the Borough of *Dublin*, and their Successors in Office, shall and they are hereby authorized and required to carry this Act into execution.

Owners, &c. to remove future Projections on Notice from Corporation.

6. If any Porch, Shed, projecting Window, Step, Cellar Door, or Window, or Steps leading into any Cellar or otherwise, Lamp, Lamp Post, Lamp Iron, Sign, Sign Post, Sign Iron, Showboard, Window Shutter, Wall, Gate, Fence, or Opening, or any other Projection or Obstruction placed or made against or in front of any House or Building after the passing of this Act (save and except such Projections as are authorized by the Rules specified in Section Nine of this Act), shall be an Annoyance to the Public in consequence of the same projecting beyond the Line of Building of any Street, or into or over or being an Encroachment upon, or being made in or endangering or rendering less commodious the Passage along any Street within the Limits of this Act, it shall be lawful for the Corporation to give Notice in Writing to the Owner or Occupier of such House or Building to remove such Projection or Obstruction, or to alter the same in such Manner as the Corporation think fit, and such Owner or Occupier shall, within Fourteen Days after the Service of such Notice upon him, remove such Projection or Obstruction, or alter the same in the Manner directed by the Corporation, and if the Owner or Occupier of any such House or Building neglect or refuse, within Fourteen Days after such Notice, to remove such Projection or Obstruction, or to alter the same in the Manner directed by the Corporation, he shall forfeit any Sum not exceeding Five Pounds, and a further Sum not exceeding Forty Shillings for every Day during which such Projection or Obstruction continues after the Expiration of such Fourteen Days from the Time when he may be convicted of any Offence contrary to the Provisions hereof.

Corporation may remove existing Projections and make Compensation for same.

7. It shall be lawful for the Corporation, if any Shed, Lamp, Lamp Post, Lamp Iron, Sign, Sign Post, Sign Iron, or Showboard which has been placed or made against or in front of any House or Building in any such Street before the passing of this Act shall be an Annoyance as aforesaid, to cause the same to be removed or altered as they think fit: Provided always, that the Corporation shall give Notice in Writing of such in-

tended Removal or Alteration to the Owner or Occupier against or in front of whose House or Building such Shed, Lamp, Lamp Post, Lamp Iron, Sign, Sign Post, Sign Iron, or Showboard shall be, Thirty Days before such Removal or Alteration shall be commenced, and shall make reasonable Compensation to every Person who shall incur any Loss or Damage by such Removal, excepting in Cases where the same may now be removable under any Act, in which Case no Compensation shall be made, and the Amount of such Compensation, if any, and the Expense of such Removal or Alteration, shall be paid by the Corporation out of the Improvement Fund of the said Borough.

Period within which Notice to be given.

8. All Notices to be given by the Corporation for the Removal of Obstructions under the Provisions of this Act shall be given within Two Years from the Completion of the same or from the passing of this Act.

Rules as to Projections from new Buildings.

9. The following Rules shall be observed as to Projections from new Buildings:

'1. Every Coping, Cornice, Facia, Window Dressing, Portico, Balcony, Verandah, Balustrade, and Architectural Projection or Decoration whatsoever, and also the Eaves or Cornices to any over-hanging Roof, except the Cornices and Dressings to the Window Fronts of Shops, and except the Eaves and Cornices to detached and semi-detached Dwelling Houses, distant at least Fifteen Feet from any other Building, and from the Ground of any adjoining Owner, shall, unless the Corporation otherwise permit, be of Brick, Tile, Stone, Artificial Stone, Slate, Cement, or other Fire-proof Material:

2. In Streets or Alleys of a less Width than Thirty Feet, any Shop Front may project beyond the external Wall of the Building to which it belongs for Five Inches and no more; and any Cornice of any such Shop Front may project Thirteen Inches and no more; and in any Street or Alley of a Width greater than Thirty Feet any Shop Front may project Ten Inches and no more, and the Cornice may project for Eighteen Inches from the external Wall but no more:

3. No Part of the Woodwork of any Shop Front shall be fixed nearer than Four and a Half Inches from the Line of Junction of any adjoining Premises unless a Pier or Corbel of Stone, Brick, or other Fire-proof Material Four and a Half Inches wide at the least is built or fixed next to such adjoining Premises as high as such Woodwork is fixed, and projects an Inch at the least in front of the Face thereof:

4. The Roof, Roof Flat, or Gutter of every Building, and every Balcony, Verandah, Shop Front, or other Projection, must be so arranged and constructed and so supplied with Gutters and Pipes as to prevent the Water therefrom from dropping upon or running over any Public Way:

5. Except

5. Except in so far as is permitted by this Section in the Case of Shop Fronts, and with the Exception of Water Pipes and their Appurtenances, Copings, Cornices, Facias, Window Dressings, and other like Architectural Decorations, no Projection from any Building shall extend beyond the general Line of Fronts in any Street except with the Permission of the Corporation.

Buildings not to be brought beyond Line of Street.

10. No Building shall, without the Consent in Writing of the Corporation, be erected beyond the regular Line of Buildings in the Street in which the same is situate, in case the Distance of such Line of Buildings from the Highway do not exceed Thirty Feet or within Thirty Feet of the Highway where the Distance of the Line of Buildings therefrom amounts to or exceeds Thirty Feet, notwithstanding there being Gardens or vacant Spaces between the Line of Buildings and the Highway; and in case any Building shall hereafter be erected contrary to this Enactment, it shall be lawful for the Corporation to cause the same to be demolished or set back (as the Case may require), and the Expenses attendant upon or incidental thereto shall be paid to the Corporation by the Owner of the Premises, and if on Demand of such Expenses such Owner shall neglect or refuse to pay the same, then such Expenses shall be recovered by the Corporation from such Owner as Damages, before One or more Justice or Justices of the Peace, in the Manner provided by the said recited Act, or the Acts incorporated therewith, for Recovery of Damages not specially provided for.

Corporation in certain Cases may compel Owners, &c. of Houses to construct Drains into the Common Sewer.

11. 'And whereas, under the Provisions of the said recited 'Act, considerable Expense has been incurred by the Corporation 'in the Construction and Maintenance of Main Sewers or Drains 'within the Borough of *Dublin*, and several of the Owners or 'Occupiers of Houses and Buildings in the Streets and other 'Thoroughfares under or through which such Main Sewers or 'Drains have been carried have neglected to make Branch 'Drains from such Houses or Buildings communicating with 'such Main Drains or Sewers for the Drainage of such Houses 'and Buildings, their Areas, Waterclosets, and Offices, to the 'Injury of the Public Health:' Therefore, if any House or Building, whether built before or after the passing of this Act, situate within the Limits of the said Borough, be found not to be drained by a sufficient Drain communicating with some Sewer, and emptying itself into the same, to the Satisfaction of the Corporation, and if a Sewer of sufficient Size be within One hundred Feet of any Part of such House or Building, on a lower Level than such House or Building, it shall be lawful for the Corporation, at their Discretion, by Notice in Writing, to be served upon the Occupier and Owner of such House or Building, and if the Name and Address of such Owner be not known, and the Occupier of such House or Building refuse to give the Name and Address of such Owner, then upon the Occupier only of such House or Building, to require the Owner or Occupier of such House or Building forthwith, or within such reasonable

Time as may be appointed by the Corporation, to construct and make from such House or Building into any such Sewer a covered Drain, and such Branches thereto, of such Materials, of such Size, at such Level, and with such Fall as shall be adequate for the Drainage of such House or Building and its several Floors or Stories, and also of its Areas, Waterclosets, Privies, and Offices (if any), and for conveying the Soil, Drainage, and Wash therefrom into the said Sewer, and to provide fit and proper paved or impermeable sloped Surfaces for conveying Surface Water thereto, and fit and proper Sinks, and fit and proper syphoned or otherwise trapped Inlets and Outlets for hindering Stench therefrom, and fit and proper Water Supply, and Water-supplying Pipes, Cisterns, and Apparatus for securing the same and for causing the same to convey away the Soil, and fit and proper Sandtraps, expanding Inlets, and other Apparatus for hindering the Entry of improper Subtances therein, and all other such fit and proper Works and Arrangements as may appear to the Corporation or to their Officers requisite to secure the safe and proper working of the said Drain, and to prevent the same from obstructing or otherwise injuring or impeding the Action of the Sewer to which it leads; and it shall be lawful for the Corporation to cause the said Works to be inspected while in progress, and, from Time to Time during the Execution, to order such reasonable Alterations therein, Additions thereto, and Abandonment of Part or Parts thereof as may to the Corporation or their Officers appear, on the fuller Knowledge afforded by the opening of the Ground, requisite to secure the complete and perfect working of such Works; and if the Owner or Occupier of such House or Building neglect or refuse during Twenty-eight Days after the said Notice has been delivered to such Owner or Occupier, or left at such House or Building, to begin to construct such Drain and other Works aforesaid, or any of them, or thereafter fail to carry them on and complete them with all reasonable Despatch, it shall be lawful for the Corporation to cause the same to be constructed and made, and to recover the Expenses to be incurred thereby from such Occupier as Damages, in the Manner provided for the Recovery of Damages as herein-before mentioned: Provided always, that every such Occupier who at the Time of the Service of such Notice shall occupy such House or Premises, and shall have given such Information of the Owner of such House, but not otherwise, shall be entitled to deduct the Amount so paid to the Corporation from the Rent payable by him to the Owner of such House or Building.

As to Orders to be made under this Act.

12. All Orders of the Council made under the Provisions of this Act shall be subject to the same Right of Appeal as is provided by the said recited Act of the Twelfth and Thirteenth *Victoria*, Chapter Ninety-seven.

Expenses of Act.

13. The Costs, Charges, and Expenses attending on or incident to the applying for or obtaining this Act shall be paid by the Corporation out of the Improvement Fund of the said Borough.

CAP.

CAP. XXVII.

An Act to declare the Limits within which increased Assessments are authorized to be raised in the City of *Edinburgh*, under the Provisions of the Act of the Twenty-third and Twenty-fourth Years of *Victoria*, Chapter Fifty.

[28th *June* 1861.]

'WHEREAS Doubts have arisen as to the Extent of the Area within which, under the Provisions of the Act Twenty-third and Twenty-fourth *Victoria*, Chapter Fifty, the Magistrates and Council of the City of *Edinburgh* are empowered to levy certain increased Assessments by the said Act authorized to be levied, and it is expedient to remove such Doubts:' Be it declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 23 & 24 Vict. c. 50.

1. That the said Magistrates and Council of the City of *Edinburgh* were and are authorized and entitled, under the Provisions of the recited Act, and in particular of Section Eleven thereof, to levy the increased Assessments specified in the said Section solely upon or in respect of the gross yearly Value of the Lands and Heritages situated within the ancient and extended Royalties of the said City, and that to an Extent equal to but not exceeding Fourpence and One Halfpenny in the Pound on the said gross yearly Value, and were not authorized and are not entitled to levy the said increased Assessments upon or in respect of any Lands and Heritages situated beyond the Limits of the said ancient and extended Royalties; and that the said Magistrates and Council were and are authorized and entitled, under the Provisions of the recited Act, to add the Sum required under the Twenty-fifth Section thereof to the Estimates made, and to include the Amount of that Sum in the Assessment levied by them in Terms of the *Edinburgh* "Police Act, 1848," and "*Edinburgh* Municipality Extension Act, 1856." Declaring Extent of Authority of Magistrates, &c. of City of Edinburgh, under Provisions of recited Act, to levy increased Assessments.

2. The Words "ancient and extended Royalties," as used in this Act, shall be held to mean the Districts so designated before the passing of the "*Edinburgh* Municipality Extension Act, 1856." Interpretation of Words.

CAP. XXVIII.

An Act to relieve certain Trusts on the *Holyhead* Road from Debts. [11th *July* 1861.]

CAP. XXIX.

An Act to authorize the Removal of the Infirmary for the County of *Cork* from the Town of *Mallow* to the City of *Cork*. [11th *July* 1861.]

'WHEREAS by an Act passed in the Parliament of *Ireland* in the Fifth Year of the Reign of King *George* the Third, it was provided that the Infirmary for the County of *Cork* should 'be 5 Geo. 3. (I.) c. 20.

11 & 12 G. 3. (I.) c. 23.

'be erected and established in the Town of *Mallow*; and by 'another Act, passed in the said Parliament in the Eleventh and 'Twelfth Years of the said Reign, an Infirmary was established 'in the South Suburbs of the City of *Cork*, now called "The 'South Charitable Infirmary:" And whereas the Town of '*Mallow* is found to be an inconvenient Situation for the In-'firmary for the County of *Cork*, and it is expedient that the 'Grand Jury of the said County should be enabled to remove 'the same to the South Charitable Infirmary in the City of *Cork*, 'or to any other Building to which such last-mentioned In-'firmary shall be at any Time removed:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Grand Jury of County of Cork may remove the Infirmary for the County of Cork from Mallow to the City of Cork.

1. It shall be lawful, subject as herein-after provided, for the Grand Jury of the County of *Cork*, if they shall so think fit, to remove the Infirmary for the County of *Cork* from the Town of *Mallow* to the said South Charitable Infirmary in the City of *Cork*, or to any other Building to which the said last-mentioned Infirmary may be hereafter removed; and from and after such Removal it shall be lawful for the Grand Jury of the County of *Cork*, from Time to Time, to present such Sums as they are now by Law authorized to present for the Infirmary of the said County, for the Purpose of establishing, maintaining, and supporting the said South Charitable Infirmary, and also such further Sum, not exceeding in the whole the Sum of One thousand Pounds, for the Purpose of erecting, enlarging, or furnishing any Buildings intended for the Use of such last-mentioned Infirmary: Provided always, that the Sums so presented in any One Year by the said Grand Jury (except the Sum of One thousand Pounds, herein-before mentioned) shall not exceed the Sums presented in such Year for such Purpose by the Town Council of the Borough of *Cork*; and provided also, that One Half of the Accommodation afforded by the said last-mentioned Infirmary shall be for the Use of Patients to be received therein from the County of *Cork*.

Lord Lieutenant may direct the old Cork Lunatic Asylum to be transferred to the Trustees of the South Charitable Infirmary for the Purposes of this Act.

2. Upon Presentment being made, as herein provided, for Payment to the Commissioners for General Control and Correspondence, and for superintending and directing the Erection, Establishment, and Regulation of Asylums for the Lunatic Poor in *Ireland*, of the Sum of Four hundred and seventy Pounds, being the Amount due to the said Commissioners for Rent and Arrears of Rent and Costs of Maintenance of the Building hereby authorized to be transferred, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to order and direct that the Building formerly used as the *Cork* District Lunatic Asylum, and the Ground and Soil appertaining thereto, and the several Materials and Appurtenances, and all Rights, Interests, and Liabilities connected therewith, shall be transferred to the Trustees of the said South Charitable Infirmary, or any Three of them, and their Successors, in trust for

for and to the Uses and Purposes of the said Infirmary for the County of *Cork*, and of the said South Charitable Infirmary, subject to the Payment of such annual Rents as are payable in respect of the said Building and the Ground and Soil appertaining thereto; and it shall be lawful for the Grand Jury of the County of *Cork* at the Assizes which shall be held next after the passing of this Act, and for the Town Council of the said Borough at their Presentment Sessions which shall be held next after the Period aforesaid, and they are hereby respectively required, to present the said Sum of Four hundred and seventy Pounds, to be raised off such County and Borough respectively in equal Proportions, without any Application to Presentment Sessions; and it shall also be lawful for the said Grand Jury of the County of *Cork* at each subsequent Assizes, and the Town Council of the said Borough at each subsequent Presentment Sessions, and they are hereby respectively required, to present from Time to Time, to be raised off such County and Borough respectively in equal Proportions, without Application to Presentment Sessions, such Sum or Sums of Money as shall be necessary for paying such Arrears of Rent, or the Repairs of such Building, or such annual Rent, as and when the same may become due.

Saving Rights of W. Galwey. 5 G. 3. (L) c. 20.

3. The Removal of the Infirmary for the County of *Cork* to the City of *Cork* under the Provisions of this Act, or anything in this Act contained, shall not extend or be construed to extend to alter or take away any Right now vested in *William Galwey*, the Surgeon of the said Infirmary, to any annual Allowance or Stipend under the Provisions of an Act passed in the Parliament of *Ireland* in the Fifth Year of King *George* the Third, Chapter Twenty, as the same is amended by an Act passed in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Sixty-eight; and the same shall from Time to Time be paid to him upon the Certificate of the Secretary of the Grand Jury of the County of *Cork*, stating that the said *William Galwey* is the Person entitled to such annual Allowance or Stipend under the Provisions of the said last-recited Acts and this Act.

14 & 15 Vict. c. 68.

CAP. XXX.

An Act to declare the Validity of an Act passed by the General Assembly of *New Zealand*, intituled *An Act to provide for the Establishment of New Provinces in* New Zealand. [11th *July* 1861.]

15 & 16 Vict. c. 72.

'WHEREAS by an Act of the Session holden in the Fifteenth and Sixteenth Years of Her Majesty, intituled *An Act to grant a Representative Constitution to the Colony of* New Zealand, it was provided that certain Provinces therein mentioned should be established in the said Colony, and that in every such Province there should be a Provincial Council, and that there should be in the said Colony a General Assembly competent to make Laws for the Peace, Order, and good Government of the same; and by the Sixty-ninth Section of the said Act it was further provided that it should be lawful for the said

General

'General Assembly to constitute new Provinces in the said 'Colony, and to appoint the Number of Members of which the 'Provincial Councils thereof should consist, and to alter the 'Boundaries of any Provinces for the Time being existing, pro- 'vided always that any Bill for any of the said Purposes should 'be reserved for the Signification of Her Majesty's Pleasure 'thereon: And whereas by an Act of the Session holden in the 'Twentieth and Twenty-first Years of Her Majesty, intituled 20 & 21 Vict. c. 53. '*An Act to amend an Act for granting a Representative Con-* 'stitution to the Colony of New Zealand, it was enacted that the 'Sixty-ninth Section of the said first-recited Act should be 'repealed, and that it should be lawful for the said General 'Assembly to alter, suspend, or repeal all or any of the Provisions 'of the said Act, except the Third Section, and certain others 'therein specified: And whereas the said General Assembly, by 'an Act passed in a Session holden in the Twenty-first and 'Twenty-second Years of Her Majesty, intituled *An Act to* 'provide for the Establishment of new Provinces in New 'Zealand, did authorize the Governor of the said Colony to 'establish such new Provinces in manner therein mentioned, 'and the said Governor did establish certain new Provinces 'accordingly: And whereas Doubts are entertained whether it 'was competent to the said General Assembly to make such 'Provision, and to the said Governor to establish such new 'Provinces as aforesaid, and it is expedient that such Doubts 'should be set at rest: And whereas it is also expedient that 'the said General Assembly should be at liberty to alter Part of 'the Third Section of the herein-before first-recited Act of 'Parliament:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to General Assembly to constitute new Provinces.

1. It shall be lawful for the said General Assembly, by any Act or Acts to be by them from Time to Time passed, or for the Officer administering the Government of *New Zealand*, acting under Authority of any such Act or Acts, to constitute new Provinces in *New Zealand*, and to direct and appoint the Number of Members of which the Provincial Councils of such Provinces shall consist, and to alter the Boundaries of any Provinces for the Time being existing in *New Zealand*.

General Assembly may repeal Part of s. 3. of 15 & 16 Vict. c. 72.

2. It shall be lawful for the said General Assembly to alter, suspend, or repeal so much of the Third Section of the herein-before first-recited Act of Parliament as provides that the Provincial Council in each of the Provinces thereby established shall consist of such Number of Members, not being less than Nine, as the Governor shall by Proclamation appoint.

Recited Act of General Assembly 21 & 22 Vict. to be valid.

3. The herein-before recited Act passed by the said General Assembly, and all Acts, Matters, or Things done under and in pursuance of Authority created or given or expressed to be created or given by the same Act, shall be, and shall be deemed to have been from the passing or doing thereof, as valid and effectual

effectual for all Purposes whatever as such Acts, Matters, or Things might or would have been if at the Time of the passing of the same Act by the said General Assembly this Act of Parliament had been in force.

Recited Acts to apply to new Provinces.

4. The Provisions of the Two herein-before recited Acts of Parliament as altered by this Act shall apply to all Provinces at any Time existing in *New Zealand*, in like Manner and under the same Conditions as the same apply to the Provinces established by the herein-before first-recited Act of Parliament.

CAP. XXXI.

An Act for the Prevention and Punishment of Offences committed by Her Majesty's Subjects within certain Territories adjacent to the Colony of *Sierra Leone*.

[11th *July* 1861.]

'WHEREAS the Inhabitants of the Territories adjacent to 'the Colony of *Sierra Leone*, extending to the *Rio Grande* 'or *Bulola* to the North of the Colony, to the River *Gallinas* to 'the South of the Colony, and for Five hundred Miles to the 'East of the Colony, being in an uncivilized State, Offences 'against the Persons and Property of such Inhabitants and others 'are frequently committed by Her Majesty's Subjects within such 'Territories with Impunity:' For Remedy thereof, be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Laws in force at Sierra Leone for Punishment of Crimes extended to British Subjects in adjacent Territories.

1. The Laws which are now or which shall hereafter be in force in the Colony of *Sierra Leone* for the Punishment of Crimes therein committed shall be and the same are hereby extended and declared applicable to all Her Majesty's Subjects within any Territory adjacent to the said Colony, and being within the Limits as aforesaid; and every Crime or Offence committed by any of Her Majesty's Subjects within any such Territory in contravention of any such Laws shall be cognizable in any such Courts, and shall be inquired of, tried, and prosecuted, and on Conviction punished, in such and the same Manner as if the same had been committed within the said Colony.

Governors may address Commissions to Persons to act as Magistrates in such Territories.

2. 'And whereas it is necessary to prevent as far as may be 'the Commission of Crimes by Her Majesty's Subjects within 'such Territories as aforesaid, and to provide for the Arrest, 'Commitment, and bringing to Punishment of any of Her 'Majesty's Subjects by whom any such Crimes may be perpe-'trated?' Be it therefore enacted, That it shall be lawful for the Governors of the said Colony to address to any One or more of Her Majesty's Subjects, being within or about to resort to any such Territories as aforesaid, One or more Commission or Commissions authorizing him or them to exercise within such Territories the Office of a Magistrate for the Purpose of preventing the Perpetration therein by any of Her Majesty's Subjects of any Crimes or Offences, and for the Purpose of arresting, committing to

to Custody, and bringing to Trial before such Courts as aforesaid, any of Her Majesty's Subjects charged on sufficient Evidence before him or them with the Commission of any such Crimes or Offences within any such Territories; and it shall also be lawful to the Governor of the said Colony, by any such Commission or Commissions as aforesaid, to define with all practicable and convenient Precision the local Limits within which the Jurisdiction of any such Magistrate or Magistrates shall be so exercised, and to which it shall so extend; and within the Limits so to be defined as aforesaid every such Magistrate shall have, exercise, and enjoy all such Powers and Authorities over and in reference to Her Majesty's Subjects inhabiting or being within the same as shall by any such Commission or Commissions be specially granted: Provided always, that no such Powers or Authorities shall be so granted by any such Commission or Commissions, save only such as shall be necessary for accomplishing the Purposes aforesaid with Promptitude and Effect.

Powers of such Magistrates.

Commissions in force during Her Majesty's Pleasure.

3. All such Commissions as aforesaid shall be made to continue in force only during Her Majesty's Pleasure, and the Governor for the Time being of the said Colony shall be and he is hereby bound and required to transmit a Copy of every such Commission by the earliest Opportunity to Her Majesty, through One of Her Majesty's Principal Secretaries of State, for Her Approbation or Disallowance.

Act not to extend constructively to Her Majesty's Dominions.

4. Nothing herein or in any such Commission or Commissions contained shall extend or be construed to extend to invest Her Majesty, Her Heirs or Successors, with any Claim or Title whatsoever to Dominion or Sovereignty over any such Territories as aforesaid, or to derogate from the Rights of the Tribes or People inhabiting such Territories, or of Chiefs or Rulers, to such Sovereignty or Dominion.

Who to be deemed the Governor.

5. For the Purposes of this Act, any Person lawfully administering the Government of the said Colony shall be deemed and taken to be the Governor thereof.

CAP. XXXII.

An Act for confirming a Scheme of the Charity Commissioners for "The Hospital of the Blessed Trinity," at *Guildford* in the County of *Surrey*, and its subsidiary Endowments, with certain Alterations. [11th *July* 1861.]

8th Report, dated 26th February 1861.

'WHEREAS the Charity Commissioners for *England* and *Wales*, in their Report to Her Majesty of their Proceedings during the Year One thousand eight hundred and sixty, have reported that they have provisionally approved and certified, among other Schemes for the Application and Management of Charities, a Scheme for "The Hospital of the Blessed Trinity" at *Guildford* in the County of *Surrey*, and its subsidiary Endowments, and such Scheme is set out in the Appendix to their said Report: And whereas it is expedient that the said Scheme, as the same is set out in the Schedule to this Act, should be confirmed:' Be it enacted by the Queen's most Excellent

Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The said Scheme shall be confirmed and take effect. Scheme in Schedule confirmed.

SCHEDULE.

SCHEME for the Application and Management of the CHARITY called "THE HOSPITAL of the BLESSED TRINITY" at GUILDFORD in the COUNTY of SURREY, and its subsidiary Endowments.

1. The existing incorporation of the Master, Brethren, and Sisters of the Hospital of the Holy Trinity in Guildford, by that or any other name, shall be dissolved.

The Charity shall be under the management of thirteen Governors, to be called "The Governors of Trinity Hospital at Guildford," and to consist of nine official Governors, viz.:—

The Mayor of Guildford;

The Rector of the parishes of Holy Trinity and Saint Mary in Guildford;

The Rector of the parish of Saint Nicholas in Guildford;

The Rector of Stoke-next-Guildford;

The Master of the Grammar School in Guildford respectively for the time being; and

The two senior Aldermen and two senior Town Councillors of Guildford respectively for the time being, who shall respectively be members of the Church of England;

and of four non-official Governors, being fit and proper persons, resident in the town of Guildford, or within the distance of seven miles therefrom, who shall be appointed in the first instance by the Board of Charity Commissioners for England and Wales, with the concurrence of the Archbishop of Canterbury, within three months next after the establishment of this scheme.

2. The office of a non-official Governor shall be vacated by his resignation, or bankruptcy or insolvency, or his ceasing to reside within the limit aforesaid, or his refusal or incapacity to act, or omission for a period of two consecutive years to attend any meeting of the Governors; and as soon as conveniently may be after the occurrence of any vacancy among the non-official Governors from any of the causes aforesaid, or by the death of any such Governor, the remaining Governors for the time being shall select some fit person resident within the limit aforesaid to fill such vacancy, so as to keep up the full number of four non-official Governors: provided that every such election shall be forthwith notified by the Governors to the Charity Commissioners for England and Wales, and to the Archbishop of Canterbury; and the appointment of the new Governor shall not be complete until the same shall have been approved by the said Commissioners and the Archbishop; and provided also, that during any vacancy among the Governors the remaining Gover-

nors

nors shall be competent to exercise all the authorities hereby vested in the Governors for the time being.

3. All the real estate, of whatsoever tenure, and rights and privileges, belonging to or held in trust for the Charity (subject to the subsisting leases thereof, and the full benefit of all subsisting covenants, conditions, and securities made or reserved to the master and brethren of the said hospital, or to any person or persons in trust for them, or for the benefit of the Charity), and all the personal estate belonging thereto, and the right to sue for and recover all choses in action recoverable for the benefit thereof, shall be immediately vested in the said Governors hereby appointed, and shall from time to time vest and continue vested in the Governors of the said hospital for the time being, for the purposes and according to the provisions of this scheme, without any conveyance, assignment, or assurance; and the right to sue upon and enforce all covenants, conditions, or securities made or reserved to the said master and brethren before their dissolution, or to or with any preceding Governors of the said Charity, shall be exerciseable by them, in the name of the Governors of the said hospital for the time being, as fully and effectually as the same right might be exercised by such master and brethren if not dissolved, or by such preceding Governors, if still retaining their office; and in the same manner all contracts and liabilities of the said master and brethren, or of any preceding Governors for the time being of the said Charity, may be enforced against the Governors thereof for the time being, to the extent of the property or assets of the Charity, but not against their private estates.

4. The sum of 2,909*l.* 17*s.*, part of the sum of 3,904*l.* 15*s.* 6*d.* new 3 per cent. annuities, now standing in the names of the Master and Brethren of the Hospital of the Blessed Trinity in Guildford, and all or any other sums of stock belonging to or held in trust for the benefit of the said hospital or the inmates thereof, including the sum of 2,000*l.* 3*l.* per cent. consolidated annuities arising from Molineux's Gift, and now standing in the names of Benjamin Kingston Finnimore, Charles Edward Mangles, Edmund Nicholls, and Joseph Weale, shall be transferred into the name of the Official Trustees of Charitable Funds in trust for the said hospital, and shall constitute part of the general endowment of the hospital.

The sum of 994*l.* 18*s.* 6*d.*, the remaining part of the said sum of 3,904*l.* 15*s.* 6*d.* new 3*l.* per cent. annuities, shall be transferred into the name of the Official Trustees aforesaid, in trust for Archbishop Abbot's School in Guildford.

5. The real estate and hereditaments constituting the joint endowment of the said hospital and the aforesaid Archbishop Abbot's School (two thirds of the rents whereof are payable to the hospital, and the remaining one third to the Trustees of the said school,) shall be divided in those proportions between the said hospital and school by a valuer to be appointed for the purpose by the said Board, who shall be at liberty to assign to such valuer such remuneration as to them shall seem fit, to be paid

paid in the like proportions out of the funds of the hospital and school respectively, and on the execution by such valuer of his award or instrument of partition the respective shares of the hospital and the school in such estate and hereditaments shall vest in the said Governors and Trustees respectively, to be held by them in severalty for the purposes of the respective Charities.

6. The Governors shall, as soon as conveniently may be after the establishment of this scheme, subject to the approval of the said Board, make suitable regulations for the conduct and management of all matters connected with the administration of the Charity and its property, and may from time to time, with the like approval, vary such regulations; and all such regulations shall be binding upon all persons interested; provided that no regulation be so made which is at variance with any of the provisions of this scheme.

7. The Governors shall, out of the annual income of the Charity, pay the yearly sum of 1*l.* 10*s.* to the rector of the aforesaid parish of Holy Trinity in Guildford, and defray or provide for the expense of repairing and keeping insured the hospital and other buildings belonging to the Charity, and the necessary current outgoings and expenses of managing the said Charity.

8. The establishment of the hospital shall in future consist of a master and twenty brethren and sisters.

The master shall be a single person of good character, not less than 50 years old at the time of his appointment, and a native of Guildford, or resident there for a period of at least 20 years.

The brethren and sisters shall be respectively poor single persons of good character, not less than 60 years old at the time of appointment, natives of the ancient borough of Guildford or resident there for a period of at least 20 years; provided that if and so often as there shall not be any duly qualified candidate from the said ancient borough, candidates from the municipal borough of Guildford, being otherwise duly qualified as directed by this scheme, shall be eligible for appointment. No person shall be eligible for any of the said appointments who is a drunkard or lunatic, or has any infectious or contagious disease, or who shall be in receipt of relief from any parochial or other rate for the relief of the poor, or who shall have received such relief at any time within the three next preceding years; and in the selection of candidates those persons are to be preferred who, being otherwise properly qualified, shall have borne office or been traders in the said borough of Guildford.

The brethren and sisters shall in general be in the proportion of twelve brethren to eight sisters, with power, nevertheless, for the Governors to relax this rule under special circumstances as they may find expedient.

9. Upon the occurrence of any vacancy in the office of master, a meeting of the Governors shall be held, at which some proper person shall be appointed by the Governors to fill the vacancy; provided that no appointment of a master shall be made until the expiration of six weeks after the vacancy in the office has occurred,

occurred, and that every such appointment be forthwith notified by the Governors to the Archbishop of Canterbury for his approval, without which approval the appointment shall not be complete or valid.

10. All applications for admission as inmates shall be made in writing to the master, and shall be entered by the master in a register specifying the date, and the name, age, residence, description, and qualifications of every applicant. The master shall also keep a register of all inmates admitted to the hospital, in which register shall be entered the date of every admission, and the particulars of the qualifications of each person admitted, and the date and mode of occurrence of every vacancy.

11. All appointments of inmates shall be made by the Governors at some meeting of their body, and the persons to be so appointed shall be selected by the Governors from the register of applicants, and (except in such special or urgent cases as may be considered by the Governors to require the relaxation of this rule) no appointment of any inmate shall be made until after the expiration of one calendar month at the least from the date of his or her application for admission. In making the appointments preference shall in all cases be given by the Governors, as far as possible, to the most deserving candidates, qualified as aforesaid, regard being had to the age, personal character, and the circumstances and necessities of each candidate.

12. The master shall receive a yearly salary of 70*l.*, to be paid to him by the Governors half-yearly out of the income of the Charity, and an allowance of 5*l.* annually for coals, and shall occupy such rooms within the hospital as may from time to time be assigned by the Governors for his use. The Governors, however, with the consent in writing of the Archbishop of Canterbury, and with the sanction of the Charity Commissioners, may from time to time vary the amount of the stipend and allowance to be paid to the master.

13. The Governors shall pay to each of the brethren and sisters respectively such weekly or other stipends or allowances, not exceeding the rate of 8*s.* per week, as the income and resources of the Charity will from time to time admit; provided that if the available income of the Charity at any time will not admit of the payment of a stipend at the rate of 5*s.* per week to each brother and sister the Governors shall be at liberty, with the consent of the Charity Commissioners, to suspend the appointment of the full number of inmates, so that such inmate may receive a stipend amounting to that weekly rate at the least.

The Governors shall also be at liberty to make reasonable allowances of coal or other necessaries to each of the brethren and sisters, to be provided out of the income of the Charity, in addition to their pecuniary stipends, whenever such income shall be sufficient for the purpose.

14. The salary of the master and the weekly stipend of each brother and sister hereafter to be elected shall commence from the day of his or her admission to the hospital; but the Governors shall be at liberty, if they so think fit, to set apart any proportion,

proportion, not exceeding one half of such salary or stipend, for a period not exceeding three months, towards defraying the expense of cleansing, papering, or painting the apartment of such master, brother, or sister.

15. One room in the hospital shall be assigned by the Governors to each brother and sister for his or her exclusive use, and every such room with its fixtures shall be maintained and kept in repair out of the income of the Charity.

16. The Governors shall from time to time inspect the apartments of the master, brethren, and sisters respectively, and whenever they shall consider it necessary shall direct the same to be cleansed and whitewashed, and the windows to be mended, at the expense of the occupier, and they may defray the cost by deducting the same from his or her stipend, at their discretion.

17. The Governors shall have the power of removing the master and any of the brethren or sisters, in case they shall cease to be objects of the Charity, or for immorality, insubordination, or other misconduct; provided that the removal of the master shall not be valid without the approval in writing of the Archbishop of Canterbury.

18. The master may at any time, with the concurrence of one Governor or more, suspend any brother or sister, for misconduct, from the receipt of any allowance or benefit from the Charity until the case can be reported by the master to the Governors, and decided upon by them.

19. One of the brethren shall be appointed by the Governors to be the vice-master, and during his tenure of such appointment shall receive a salary at the rate of 4*l.* per annum, to be paid to him quarterly, in addition to his stipend as a brother.

The Governors shall be at liberty at any time to remove such vice-master, at their discretion, and to appoint another in his place.

20. The oaths hitherto administered to the master, brethren, and sisters respectively shall in future be discontinued. The sisters shall also be relieved from the duty of attending the sick; and the stipend of 13*s.* 4*d.* allowed as a remuneration for such service, and all allowances and gifts to the inmates, other than those directed or provided by this scheme, shall respectively cease.

All existing regulations and usages now in force with respect to the administration of the Charity, which are in any way at variance with this scheme or any of the provisions or objects thereof, shall also respectively cease and be discontinued.

21. Subject to the provisions of this scheme, the Governors may from time to time prescribe such reasonable rules and regulations as they may think expedient for the government and conduct of the hospital, and the master, inmates, and officers thereof, and all such rules and regulations shall be observed by the persons affected thereby.

22. If any doubt or question shall arise amongst the Governors or any of them as to the proper construction or application of any of the provisions of this scheme, or the management of the Charity, application may be made by the Governors to the Charity Commissioners for England and Wales, for their opinion

and advice thereon, which opinion and advice, when given, shall be binding on the Governors and on all other persons affected thereby; and if any of the provisions hereof relating to the detailed management of the Charity, and not prescribing or defining the principal objects thereof, shall be found to be unsuitable or practically inconvenient, the same may be modified or altered or annulled by the Governors, with the sanction of the said Commissioners.

23. This scheme shall be printed, and a copy given to every person who shall become a member of the governing body of the Charity, and to every master and inmate of the hospital.

CAP. XXXIII.

An Act to enable the Commissioners of Her Majesty's Works to acquire additional Land for the Purposes of the Public Offices Extension Act of 1859.

[11th *July* 1861.]

22 & 23 Vict. c. 19.

'WHEREAS by The Public Offices Extension Act, 1859, Twenty-second *Victoria*, Chapter Nineteen, the Commissioners of Her Majesty's Works and Public Buildings are empowered to acquire the Land and Hereditaments therein mentioned, situate near *Whitehall* and Her Majesty's Palace of *Westminster*, as a Site for the Erection of Public Offices, as therein mentioned: And whereas it has been found necessary for the Purposes of the said Act that the said Commissioners should also be empowered to acquire the additional Land and Hereditaments described in the First Schedule to this Act: And whereas a Plan describing the Land to be acquired by the said Commissioners under the Authority of this Act has been prepared by or under the Direction of the said Commissioners:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Construction of recited Act as to Lands in Schedule.

1. The said Act shall be read and construed to all Intents and Purposes whatsoever (except as expressly varied by this Act) as if the Land and Hereditaments comprised and described in the Schedule to this Act were comprised and described in the First Schedule to the said Act.

Plan to be deposited at Office of Commissioners of Works.

2. The said Plan prepared as aforesaid, describing the Land to be acquired by the said Commissioners under the Authority of this Act, shall, when signed by the Commissioners for executing the Office of Lord High Treasurer, be deposited at the Office of the Commissioners of Her Majesty's Works and Public Buildings, and shall remain at the said Office, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection.

Compulsory Powers to

3. The compulsory Powers hereby or by the said Act given to the said Commissioners of Her Majesty's Works and Public Buildings

Buildings for purchasing or taking the Land and Hereditaments comprised in the said First Schedule hereto shall continue for Three Years from the passing of this Act, but no longer; and it shall be lawful for the said Commissioners and they are hereby authorized to purchase the said Land and Hereditaments, with and out of any Monies which have been or which may be appropriated by Parliament, or by Her Majesty's Principal Secretary of State for *India* in Council, and placed at the Disposal of the said Commissioners for that Purpose.

continue for Three Years.

4. 'And whereas it has been referred to *James Pennethorne* 'of *Whitehall Yard* in the City of *Westminster*, Surveyor, to 'ascertain on behalf of Her Majesty on the one Part, and the 'Commissioners of Her Majesty's Works and Public Buildings on 'the other Part, the Value of a certain Portion of the Heredita- 'ments comprised in the First Schedule to this Act, the Property 'of Her Majesty in right of Her Crown, as more particularly 'described in the Second Schedule to this Act, subject to the 'Leases or Agreements for Leases affecting the same as mentioned 'in such Second Schedule, and such Value has been ascertained 'by the said *James Pennethorne* to be the Sum of Two thousand 'four hundred and seventy Pounds:' Be it enacted, That out of the First Monies which have been or which may be appropriated and placed at the Disposal of the Commissioners of Her Majesty's Works and Public Buildings by Parliament, or by Her Majesty's Principal Secretary of State for *India* in Council, for that Purpose, the said last-mentioned Commissioners shall pay the said Sum of Two thousand four hundred and seventy Pounds to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, to be by them applied to the same Purposes as Monies arising from the Sale of Estates belonging to the Crown are by an Act of the Tenth Year of the Reign of King *George* the Fourth, Chapter Fifty, directed to be applied; and upon such Payment being made, the Hereditaments belonging to Her Majesty, as more particularly mentioned in the said Second Schedule to this Act, with their and every of their Rights, Members, and Appurtenances, and the Freehold and Inheritance of the same in Fee Simple, shall (subject to the Leases or Agreements for Leases in the said Second Schedule to this Act mentioned or referred to) be and become by force and virtue of this Act vested in the Commissioners of Her Majesty's Works and Public Buildings, their Successors and Assigns, for ever, who shall be deemed in Law to be in the actual Seisin and Possession thereof, subject to the Leases or Agreements for Leases mentioned in the said Second Schedule, and with the same or the like Power of Recovery of the Rents, and compelling the Performance of the Covenants in the said Leases or Agreements respectively reserved or contained, and on the Part of Tenants to be paid and performed, as were possessed by Her Majesty immediately before the passing of this Act, but freed and discharged and absolutely exonerated of and from all former and other Estates, Rights, Titles, Uses, Trusts, Intents, and Purposes, Interests, Claims, and Demands heretofore created, limited, or declared of or affecting the same, in trust nevertheless for the Purposes of this Act: Provided always, that in any Case in which

Commissioners of Works to pay 2,470*l.* to Commissioners of Woods for the Property of the Crown, and such Property thereupon to vest in the Commissioners of Works for the Purposes of this Act.

other Hereditaments are comprised in the same Lease as that by which is demised any Part of the Hereditaments mentioned in the Second Schedule to this Act, nothing herein contained shall affect or prejudice the Covenants, Conditions, and Agreements contained in such Lease, so far as the same relate to the Hereditaments not mentioned in the same Schedule, it being the Intention of this Act that upon the said Payment being made to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, all Covenants, Conditions, and Agreements contained in any such Lease, and the Rents thereby reserved, shall be distributed so that the same shall thenceforth be enforceable and recoverable by the Commissioners of Her Majesty's Works and Public Buildings with respect to the Hereditaments mentioned in the said Second Schedule to this Act, and by Her Majesty, Her Heirs and Successors, or by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them, with respect to the other Hereditaments comprised in such Lease.

Maximum Sum payable for making up Deficiency in Rates to be increased.

5. 'Whereas by the Forty-eighth Section of the Public Offices 'Extension Act, 1859, after reciting that by reason of taking the 'Land mentioned in the Schedule to the said Act, and for the 'Purposes thereof, there might be Deficiencies in the Produce of 'the Assessments for the Relief of the Poor, and making certain 'Payments, directed by Act of Parliament to be made out of the 'Poor's Rate, as also in the Produce of other Assessments directed 'to be raised and levied on the Persons and in respect of the Property by Law rateable to the Relief of the Poor of the Parishes 'of *Saint Margaret* and *Saint John the Evangelist, Westminster*, 'and reciting, that the Rates of the said Parishes had been 'mortgaged, and were then charged with and subject to the 'Repayment of certain Sums, amounting in the aggregate to 'Thirty-five thousand four hundred and three Pounds, or thereabouts, Principal Money, with Interest thereon, and which 'Charges it was calculated would be wholly paid off on or 'before the Twenty-fifth Day of *December* One thousand eight 'hundred and seventy-three, and that it was expedient that 'Provision should be made for a Contribution for a limited Time 'by the said Commissioners in aid of the Poor Rates and other 'Rates to be raised and levied as therein-before mentioned, it was 'enacted, that the said Commissioners should, from and after the 'Twenty-ninth Day of *September* One thousand eight hundred 'and fifty-nine, yearly and every Year until the Twenty-ninth 'Day of *September* One thousand eight hundred and seventy-three, by and out of such Monies as Parliament might from 'Time to Time place at their Disposal for that Purpose, pay 'and make good, in manner therein mentioned, to the said 'Parishes, such Sum or Sums of Money, not exceeding the Sum 'of Four hundred Pounds *per Annum*, as should be deficient in 'respect of the said Rates by reason or means of taking the Land 'mentioned in the Schedule to the said Act, for the Purposes 'thereof, such Deficiencies to be calculated and ascertained with 'reference to the Sum of Three hundred and seventy-five Pounds, 'being the Amount actually collected for and in respect of such 'Rates made in the Year One thousand eight hundred and fifty-

'eight

'eight in respect of Houses and Buildings which might be shut 'up or taken down, or of Ground taken and used by the Commis- 'sioners for the Purposes of the said Act, and by the Forty-ninth 'Section of the said Act it was provided that the first Payment in 'respect of such Deficiencies should be made on the Twenty-ninth 'Day of *September* One thousand eight hundred and sixty:' Now be it enacted, That in consideration of the additional Land to be taken as aforesaid, the maximum Sum of Four hundred Pounds *per Annum*, payable as in the said Act mentioned, for making up such Deficiency as aforesaid, shall be increased to a Sum not exceeding Five hundred and twenty Pounds *per Annum*, and the annual Amount with reference to which such Deficiencies shall be calculated and ascertained, as in the said Act mentioned, shall be the Sum of Four hundred and ninety-eight Pounds, in lieu of the Sum of Three hundred and seventy-five Pounds in the said Act mentioned, and the First Payment in respect of the Deficiencies arising by reason of or with reference to the Land comprised in the First Schedule to this Act shall be made on the Twenty-ninth Day of *September* One thousand eight hundred and sixty-two.

If Defendant shall plead the General Issue in any Action he may give the special Matter in Evidence.

6. 'Whereas by the Fifty-third Section of the said Act it is 'provided, that in every Action or Suit brought or prosecuted 'for anything done in pursuance thereof, as therein mentioned, 'the Defendant shall and may, at his Election, plead specially 'or plead the General Issue, and give the said Act and the special 'Matter in Evidence, at any Trial to be had thereupon, and that 'the same was done in pursuance and by the Authority of the 'said Act:' Be it enacted and declared, That in case any Defendant shall plead the General Issue, as aforesaid, in any Action or Suit relating to the Land and Hereditaments comprised in the said First Schedule hereto or any Part thereof, or to anything done in respect thereof, he may in like Manner give the special Matter in Evidence, and that the same was done in pursuance and by the Authority of the said Act and of this Act.

Short Title.

7. This Act may be cited as "The Supplemental Public Offices Extension Act, 1861."

The FIRST SCHEDULE referred to in the foregoing Act.

The Parish of Saint Margaret, Westminster, in the County of Middlesex.

No. on Plan.	No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		Duke Street.			
1	13	Dwelling House, Offices, and Yard.	Caroline Molesworth, Rev. Ralph Colley Smith, Richard Hunter, Frederick Gwatkin.	John Swift and John Edward Errington, Executors of Joseph Locke, deceased; John Edward Errington.	John Swift and John Edward Errington, Executors of Joseph Locke, deceased; John Edward Errington.
2	14	Dwelling House and Yard.		Frederick Yates.	Frederick Yates.
3	15	Public Offices and Yard.		Sir Robert Gyll and the Secretary-at-War.	The Adjutant General.
4	16	Public Offices and Yard.		The Commissioners of Her Majesty's Works and Public Buildings.	Unoccupied.

Public Offices Extension.

The Parish of Saint Margaret, Westminster, in the County of Middlesex—*continued.*

No. on Plan.	No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
5	—	Garden Ground and Outbuildings.	The Crown.	Caroline Molesworth, Rev. Ralph Colley Smith, Richard Hunter, Frederick Gwatkin, John Edward Errington.	John Swift and John Edward Errington, Executors of Joseph Locke, deceased; John Edward Errington.
6	—	Garden Ground and Outbuildings.		Caroline Molesworth, Rev. Ralph Colley Smith, Richard Hunter, Frederick Gwatkin, Frederick Yates.	Frederick Yates.
7	—	Offices - -		Caroline Molesworth, Rev. Ralph Colley Smith, Richard Hunter, Frederick Gwatkin, Sir Robert Gyll, and the Secretary-at-War.	The Adjutant General.
8	—	Garden Ground and Outbuildings.		Caroline Molesworth, Rev. Ralph Colley Smith, Richard Hunter, Frederick Gwatkin, the Commissioners of Her Majesty's Works and Public Buildings.	Unoccupied.
9	—	Public Street -	- - -	- - - -	The Board of Works for the Westminster District, the Chelsea Waterworks Company, the Equitable Gas Company, the Chartered Gas Company, the London Gas Company, and the Public.

The SECOND SCHEDULE referred to in the foregoing Act.

The Parish of Saint Margaret, Westminster, in the County of Middlesex.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Tenure.	Amount of apportioned annual Rent.
						£ s.
5	Garden Ground and Outbuildings.	The Crown.	Caroline Molesworth, Reverend Ralph Colley Smith, Richard Hunter, Frederick Gwatkin, John Edward Errington.	John Swift and John Edward Errington, Executors of Joseph Locke, deceased, John Edward Errington.		18 0
6	Ditto - -	Ditto	Caroline Molesworth, Reverend Ralph Colley Smith, Richard Hunter, Frederick Gwatkin, Frederick Yates.	Frederick Yates	Agreement for Lease for a Term of 30 Years, from the 5th April 1857, at the Rent of 63*l.* per Annum apportioned.	18 0
7	Offices - -	Ditto	Caroline Molesworth, Reverend Ralph Colley Smith, Richard Hunter, Frederick Gwatkin, Sir Robert Gyll, and the Secretary-at-War.	The Adjutant General.		27 0

The Parish of Saint Margaret, Westminster, in the County of Middlesex—*continued.*

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Tenure.	Amount of apportioned annual Rent.
						£ s.
8	Garden Ground and Outbuildings.	The Crown.	Caroline Molesworth, Reverend Ralph Colley Smith, Richard Hunter, Frederick Gwatkin, the Commissioners of Her Majesty's Works and Public Buildings.	Unoccupied - -	Lease (with other Property) to John Fraser and Ralph Colley Smith, Executors to the Will of General Buckley, to 5th April 1881.	4 15

CAP. XXXIV.

An Act to extend the Provisions of the Acts to facilitate the Improvement of Landed Property in *Ireland*, and to further provide for the Erection of Dwellings for the Labouring Poor in *Ireland*. [11th *July* 1861.]

'WHEREAS an Act was passed in the Twenty-third Year of Her Majesty, intituled *An Act to extend the Act to facilitate the Improvement of Landed Property in* Ireland, *and the Acts amending the same, to the Erection of Dwellings for the Labouring Classes in* Ireland, and thereby, after reciting an Act passed in the Tenth Year of Her Majesty, being an Act for facilitating the Improvement of Landed Property in *Ireland*; and a certain other Act of the Twelfth and Thirteenth Years of Her Majesty, Chapter Twenty-three; and a certain other Act of the Thirteenth and Fourteenth Years of Her Majesty, Chapter Thirty-one, it was enacted, that out of any Money authorized to be advanced for facilitating the Improvement of Landed Property in *Ireland*, under the Provisions of the said thereinrecited Acts, Loans might be made for the Erection of Dwellings for Labourers and their Families, in such Cases, and upon such Conditions, as are therein mentioned and provided: And whereas by the said Act of the Thirteenth and Fourteenth Years of Her Majesty, Chapter Thirty-one, it is provided that the Commissioners of Public Works in *Ireland* should not make any Order for any Loan under the said Acts or any of them to the same Owner for a larger Sum than Five thousand Pounds, or if any previous Order or Orders should have been made under the said Acts for a Loan or Loans to the same Owner in respect of the same or any other Lands, or to any previous Owner of the same Lands in respect of such Land, the said Commissioners should not make such Order for a Loan to a larger Amount than would with the Sum that had been or might be issued under such previous Order or Orders, make up Five thousand Pounds: And whereas it is expedient that, for the Purpose of facilitating the Erection of Dwelling Houses 23 Vict. c. 19.

for

'for Labourers and their Families, Loans may be authorized to be 'made under the Provisions of the said Acts beyond the said 'limited Sum of Five thousand Pounds:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Loans may be made for Erection of Dwellings for Labourers notwithstanding previous Loans.

1. That notwithstanding that an Order or Orders may have been or may be made by the said Commissioners of Public Works in *Ireland*, under the said Acts or any of them, for a Loan or Loans either to the same Owner in respect of the same or any other Land, or to several Owners in respect of the same Lands, amounting in the whole to the said Sum of Five thousand Pounds, it shall be lawful nevertheless for the said Commissioners to make a further Loan or further Loans under the Provisions of the said Act of the Twenty-third Year of Her Majesty, Chapter Nineteen, and of the said Acts therein recited, for the Purpose only of erecting Dwellings for Labourers and their Families: Provided always, that such further Loan or Loans so to be made in excess of the said Sum of Five thousand Pounds shall not exceed the Sum of One thousand Pounds.

CAP. XXXV.

An Act to increase the Facilities for the Transfer of Stocks and Annuities transferable at the Bank of *Ireland*, and to make further Provision respecting the mutual Transfer of Capital in certain Public Stocks or Funds transferable at the Banks of *England* and *Ireland* respectively, and for other Purposes. [22d *July* 1861.]

'WHEREAS it is expedient that more effectual Regulations 'should be made for facilitating the Transfer of Govern- 'ment Stocks, Funds, and Annuities now by Law transferable at 'the Bank of *Ireland*, and also to facilitate the mutual Transfer 'of Capital in certain public Stocks or Funds transferable at the 'Bank of *England* to certain public Stocks or Funds transferable 'at the Bank of *Ireland*, and in like Manner from certain public 'Stocks or Funds transferable at the Bank of *Ireland* to certain 'public Stocks or Funds transferable at the Bank of *England*: 'And whereas the said Governor and Company of the Bank of '*Ireland* have heretofore closed the Books for Transfer of the 'various Capital Stocks and Annuities created by Parliament 'transferable at the Bank of *Ireland* forming Part of the unre- 'deemed Public Debt for a certain Number of Days prior to the 'Days fixed for the Payment of the half-yearly Dividend thereon 'respectively, in order to their Convenience in calculating the 'Dividends due to the several Proprietors thereof and preparing 'the Warrants for the same, and during the Period of such 'closing no Transfers have been permitted except under Circum- 'stances of special Necessity, and such Transfers have been 'attended with great Inconvenience by reason of the Stocks so 'transferred carrying the Right to the current Half Year's Divi- 'dend:

'dend: And whereas it is desirous to increase the Facilities 'for the Transfer of such Stocks:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provision for Increase of Facilities for the Transfer of Stocks and Annuities.

1. It shall be lawful for the said Governor and Company of the Bank of *Ireland* to close the Books for the Transfer of the said several Stocks and Annuities on any Day not exceeding Fifteen Days prior to that on which the Dividends thereon respectively shall by Law be payable; and the Persons or Person who on the Day of the closing of such Book was or were inscribed as the Proprietor or Proprietors of any Share or Shares of and in such Stocks and Annuities respectively, shall, as between him, her, or them and the Transferee or Transferees thereof, be the Person or Persons entitled to the then current Half Year's Dividend thereon; and the Person or Persons to whom any Transfer shall be made after the Day of the closing of such Books shall not be entitled to the then current Half Year's Dividend on such Stock, but shall take and accept the same, exclusive of the Right to the said half-yearly Dividends.

Provision for limiting Periods for closing the Books against mutual Transfers of Stocks, &c. in England and Ireland.

2. 'And whereas it is desirable to increase the Facilities for 'the mutual Transfer of Capital in the Public Stocks, Annuities, 'or Funds transferable at the Banks of *England* and *Ireland* 'respectively, and to curtail the Time during which the Books 'of the said Governor and Company of the Bank of *England* 'and of the said Governor and Company of the Bank of *Ireland* 'respectively are now by Law closed against such Transfers:' Be it therefore enacted, That it shall not be lawful for any Person or Persons to make any Transfer or Transfers, for the Purposes of said Act, of any Stocks, Funds, or Annuities from *England* to *Ireland*, or from *Ireland* to *England*, respectively, during the Period of Three clear Days preceding the Day or Days on which the Books of the said Governor and Company of the Bank of *England*, and of the said Governor and Company of the Bank of *Ireland*, respectively, shall from Time to Time be closed for the Purpose of Dividend prior to the Day or Days fixed for Payment of the same.

Extending Powers of 56 G. 3. c. 60. as to the Retransfer of Unclaimed Dividends and Stock.

3. 'And whereas by an Act of Her present Majesty's Reign 'passed in the last Session of Parliament, intituled *An Act to* '*make Provision as to Stocks and Dividends unclaimed in* Ire- 'land, and reciting an Act of Fifty-sixth Year of King *George* 'the Third, Chapter Sixty, all the Provisions of said last 'recited Act were extended to all Stocks, Funds, and Annuities 'constituting Part of the National Debt, and transferable at 'the Bank of *Ireland*, and to the Dividends thereon, and to 'the Governor and Company of the Bank of *Ireland* and their 'Officers, and to the Court of Chancery in *Ireland:* And 'whereas by said recited Acts Power is vested in the Governor 'and Deputy Governor of the Bank of *Ireland* for the Time 'being to authorize and direct the Accountant General or Secre- 'tary of the Governor and Company of the Bank of *Ireland* for

'the

'the Time being to re-transfer any Capital Stock which shall 'have been transferred to the Commissioners for the Reduction 'of the National Debt under the Circumstances therein men- 'tioned: And whereas it is expedient to extend the Authority 'in the said Acts contained to the Deputy Accountant General 'and Deputy or Assistant Secretary for the Time being of the 'said Governor and Company of the Bank of *Ireland*:' Be it therefore enacted, That all Transfers directed to be made under the Provisions in that Behalf contained in the said recited Acts or any of them, to and from the Account of the said Commissioners, shall be as valid and effectual, if made by the Deputy Accountant General or the Deputy or Assistant Secretary of the said Governor and Company of the Bank of *Ireland* for the Time being, as if the same had been made by the Accountant General or Secretary of the said Governor and Company for the Time being.

5 G. 4. c. 53. ss. 11, 12. repealed.

4. The Eleventh and Twelfth Sections of the Act Fifth *George* the Fourth, Chapter Fifty-three, are hereby repealed.

CAP. XXXVI.

An Act to amend the Boundaries of Burghs Extension (*Scotland*) Act. [22d *July* 1861.]

20 & 21 Vict. c. 70.

'WHEREAS by the Act Twentieth and Twenty-first *Victoria*, Chapter Seventy, it is provided that the Boun- 'daries of Royal and Parliamentary Burghs in *Scotland* may 'be extended for Municipal Purposes only, including the Right 'of voting for Town Councillors, and all Matters connected 'with Police, and it is expedient that Provision should be made 'for the Division into Wards of the District comprehended 'within the extended Boundaries of such Burghs as have been 'or may be divided into Wards:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Extended District may be formed into Wards or annexed to existing Wards by the Sheriff on Application of the Town Council.

1. Where the recited Act has been or shall be adopted in any Royal or Parliamentary Burgh in *Scotland* which has been or shall be divided into Wards, and the extended Boundaries of such Burgh have been or shall be fixed in manner therein provided, it shall be lawful for the Sheriff of the County in which such Burgh is situate, or any of his Substitutes, on the Application of the Town Council of such Burgh, to form the District comprehended within such extended Boundaries into a Ward or Wards, or to annex such District or any Part thereof to any One or more of the existing Wards of such Burgh, and to fix and arrange the Limits of such extended Wards, and the Number of Councillors to be elected for each existing and extended Ward of such Burgh, in such Manner as he shall think fit, and to take all such Proceedings for these Purposes as may be necessary or expedient.

Notice of Limits of and

2. On such Formation or Annexation of Wards being made and completed, a Notice signed by such Sheriff or Sheriff Substitute

stitute specifying the Limits of the extended Wards, and the Number of Councillors to be elected for each existing and extended Ward of such Burgh, as fixed and arranged by him, shall be published once in the *Edinburgh Gazette*, and once in each of Two successive Weeks in a Newspaper published in such Burgh, or, if no Newspaper be published therein, in a Newspaper published in the County in which such Burgh is situate; and thereafter the qualified Electors of all such Wards, whose Names shall be on the List or Roll of Electors of such Burgh in force for the Time being, shall be entitled to vote in the Election of Councillors for such Burgh, for as many qualified Persons to be Councillors in and for such Wards respectively as are specified in such Notice, in the Manner provided by the Acts Third and Fourth *William* the Fourth, Chapters Seventy-six and Seventy-seven; and all Orders or Deliverances made or pronounced by such Sheriff or Sheriff Substitute in the Execution of this Act shall be final, and not subject to Appeal, Review, or Reduction in any Court or by any Process whatsoever.

Number of Councillors to be published.

3. In the event of the Boundaries of any Burgh being extended into another County than that in which such Burgh is situate, it shall be lawful for the Sheriff or Sheriff Substitute of the County in which such Burgh is situate to act, in carrying into execution the Provisions of this Act with respect to the District comprehended within such extended Boundaries in another County, in the same Manner and to the same Effect as if such District had been situate in the County of which he is Sheriff or Sheriff Substitute.

Sheriff may act when extended Boundaries are in another County.

4. All Expenses incurred in or with respect to the Proceedings under this Act in any Burgh shall be paid by the Town Council of such Burgh.

Expenses to be paid by Town Council.

CAP. XXXVII.

An Act to simplify the Mode of raising the Assessment for the Poor in *Scotland*. [22d *July* 1861.]

'WHEREAS it is expedient to simplify the Mode of imposing the Assessment for raising the Funds for the 'Relief of the Poor in *Scotland*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. From and after the First Day of *January* One thousand eight hundred and sixty-two so much of Section Thirty-four of the Act of the Eighth and Ninth Years of Her Majesty, intituled *An Act for the Amendment and better Administration of the Laws relating to the Relief of the Poor in* Scotland, as makes it lawful for any Parochial Board of any Parish or Combination of Parishes in *Scotland* to raise One Half of the Funds requisite for the Relief of the poor Persons entitled to Relief from the Parish or Combination by Assessment upon the Owners of all Lands and Heritages within the Parish or Combination, according to

So much of Sect. 34. of 8 & 9 Vict. c. 83. as to Means and Substance Mode of Assessment abolished.

to the annual Value of such Lands and Heritages, and the other Half upon the whole Inhabitants, according to their Means and Substance, other than Lands and Heritages situated in *Great Britain* and *Ireland*, or to raise such Funds by Assessment, imposed as an equal Per-centage upon the annual Value of all Lands and Heritages, within the Parish or Combination, and upon the estimated annual Income of the whole Inhabitants from Means and Substance other than Lands and Heritages situated in *Great Britain* or *Ireland*, is hereby repealed: and every Parochial Board of any Parish or Combination of Parishes now raising such Funds in Terms of the Parts of the said recited Act which are hereby repealed as aforesaid shall, before ceasing to raise such Funds, and within Two Months after the passing of this Act, resolve to adopt the First Mode of Assessment specified in Section Thirty-four of the recited Act, and to classify Lands and Heritages equitably in Terms of the Thirty-sixth Section of the said recited Act, and shall forthwith report such Resolution to the Board of Supervision, which is hereby authorized and required to determine whether or not the Classification so resolved on is equitable, and, in the event of their considering the Classification thereby made is not equitable, to vary or alter the same as to them shall seem just; and until the said First Mode of Assessment so resolved on, with relative Classification, shall have been approved of by the Board of Supervision, the Assessment for Relief of the Poor in any Parish where the Classification may not be approved of shall continue to be raised according to the Mode now in operation in such Parish; and after the proposed Classification in any Parish shall have been approved of by the Board of Supervision, it shall not be altered or departed from without the Sanction of the said Board: Provided always, that nothing in this Act shall be construed to prevent the Parochial Board of any Parish or Combination of Parishes from collecting any such Assessments actually imposed prior to the First Day of *January* One thousand eight hundred and sixty-two, according to the Mode legally in force in the Parish or Combination at the Date when such Assessments were imposed.

CAP. XXXVIII.

An Act to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners. [22d *July* 1861.]

'WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of "The Acts for the Inclosure, Exchange, and Improvement of Land," issued their Provisional Orders for and concerning the proposed Inclosures mentioned in the Schedule to this Act, and the requisite Consents thereto have been given since the Date of their Sixteenth Annual General Report: And whereas the said Commissioners have by a Special Report certified their Opinion that such proposed Inclosures would be expedient; but the same cannot

'be

Inclosure (No. 2.)

'be proceeded with without the previous Authority of Parliament:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Inclosures may be proceeded with.

1. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with.

Short Title.

2. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use either the Expression "The Second Annual Inclosure Act, 1861," or "The Acts for the Inclosure, Exchange, and Improvement of Land."

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Chaldon Commons -	Surrey -	10th January 1861.
Llanfihangel Rhydithon	Radnor -	7th February 1861.
Ambleside - - -	Westmorland	24th January 1861.
Thorpe Low Common -	Norfolk -	14th March 1861.
High and Low Hartsopp Pastures - - -	Westmorland	28th February 1861.
Llanddew Common -	Brecon -	29th November 1860.
Talwen Common -	Brecon -	29th November 1860.
Armscote Field - -	Worcester -	11th April 1861.
Llanfihangel-fechan -	Brecon -	29th November 1860.
Garthbrengy Common -	Brecon -	29th November 1860.
Merthyr Cynog - -	Brecon -	29th November 1860.
Thoralby - - -	York - -	25th April 1861.
Whichwood (Pudlicot) -	Oxford -	25th April 1861.
East Orchard - -	Dorset -	17th May 1860.
Dilwyn - - -	Hereford -	14th March 1861.
Walderton Down -	Sussex -	25th April 1861.
Talachddu - - -	Brecon -	25th April 1861.
Loweswater - -	Cumberland	22d April 1858.
Bedworth - - -	Warwick -	25th April 1861.
Upshire - - -	Essex -	14th March 1861.
Spencers Wood Common	Berks -	14th March 1861.
Swallowfield - -	Berks -	14th March 1861.
Cleeton - - -	Salop - -	23d May 1861.
Linton - - -	York - -	25th April 1861.
Writtle and Roxwell -	Essex -	6th June 1861.
Radnor Forest - -	Radnor -	14th March 1861.

CAP. XXXIX.

An Act to confirm certain Provisional Orders under the Local Government Act (1858), relating to the Districts of *Brighton*, *East Cowes*, *Preston*, *Morpeth*, *Bromsgrove*, and *Durham*; and for other Purposes in relation thereto. [22d *July* 1861.]

'WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of "The Local Government Act, 1858," duly made certain Provisional Orders, which are contained in the Schedule to this Act annexed, and it is provided by the aforesaid Local Government Act that no such Orders shall be of any Validity whatever until they shall have been confirmed by Parliament; and it is expedient that the said Orders should be so confirmed, and further Provision made in relation thereto:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Orders in Schedule confirmed.

1. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after the passing of this Act, be absolute, and be as binding, and of the like Force and Effect, except the Clause numbered 2. in the Provisional Order for *Morpeth* in the County of *Northumberland*, as if the Provisions of the same had been expressly enacted in this Act.

Provisional Order for Morpeth not to affect Election of Local Board, save, &c.

2. Nothing in the Provisional Order for the *Morpeth* District in this Schedule contained shall affect the Election or Selection of the Local Board of Health for the said District, except as regards the Members elected in and for the Parish of *Bedlington*, who shall, from and after the passing of this Act, cease to be Members of the said Board.

Apportionment of existing Debt between Morpeth and Bedlington.

3. 'Whereas a Debt of Three hundred and twenty-six Pounds Nine Shillings and Sevenpence, with Interest thereon at the Rate of Four *per Cent. per Annum*, is now owing by the Local Board of Health for the *Morpeth* District, and such Debt is secured on Mortgage of the Special District Rates of the said District for the unexpired Period of Twenty-three Years: And whereas it is expedient to determine the Proportions in which such Debt shall be paid by Rates levied respectively within the Parts into which the said District is divided by the Provisional Order in the Schedule to this Act annexed:' Be it enacted, That from and after the Division of the said District the Parish of *Bedlington* shall contribute towards the Payment of such Debt the Sum of One hundred and eighty-three Pounds Sixteen Shillings and One Halfpenny, with Interest thereon at the Rate of Four *per Cent. per Annum*, and the Local Board of Health for the District of *Morpeth* as altered by the Provisional Order aforesaid shall contribute towards the same Object the Sum of One hundred and forty-two Pounds Thirteen Shillings Sixpence

Sixpence and One Halfpenny, with the like Interest thereon; and that it shall be lawful for the Overseers within the said Parish of *Bedlington* to raise the annual Instalments required to pay off the said Sum of One hundred and eighty-three Pounds Sixteen Shillings and One Halfpenny, with Interest thereon at the Rate of Four *per Cent. per Annum*, in the Name and as Part of the Rates levied by them within such Parish for the Relief of the Poor thereof: Provided always, that in assessing to the Rate for the Purpose of paying off such Instalment and Interest, all the Kinds of Property which would be assessed to General District Rates under the Local Government Act, 1858, in the Proportion of One Fourth Part only of the net annual Value thereof, shall be assessed in the same Proportion only of such Value to the Rate levied under this Enactment.

Surveyors of Highways to be elected for Parts of Bromsgrove separated from District.

4. The Inhabitants of the Parts of the Parish of *Bromsgrove* separated from the District of the Local Board by the Provisional Order in the Schedule to this Act annexed shall, within One Month from the passing of this Act, assemble and elect One or more Persons to serve the Office of Surveyor, under the Provisions of the General Highways Act, in the same Manner as they would have assembled for the Election of Surveyors of Highways at *Easter* now last past, if the Local Government Act aforesaid had not then been in force within such Parts.

21 & 22 Vict. c. 98. and this Act incorporated.

5. This Act shall be deemed to be incorporated with "The Local Government Act, 1858," and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

6. In citing this Act in any other Act, or in any Proceeding, Instrument, or Document whatsoever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1861."

SCHEDULE of Provisional Orders referred to in the preceding Act.

1. BRIGHTON.—Repealing and altering Parts of Local Acts in force within the District.
2. EAST COWES.—Repealing a Local Act in force within the District.
3. PRESTON.—Repealing and altering Parts of a Local Act in force within the District; extending the Borrowing Powers of the Preston Local Board of Health; extending the Time for paying off Sums borrowed by such Board; and for other Purposes.
4. MORPETH.—Altering the Boundaries of the District of Morpeth, as constituted for the Purposes of the Public Health Act, 1848.
5. BROMSGROVE.—Altering the Boundaries of the District of Bromsgrove, as constituted for the Purposes of the Local Government Act, 1858.
6. DURHAM.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands otherwise than by Agreement.

BRIGHTON.

***Provisional Order repealing and altering Parts of Local Acts in force within the District of the Brighton Local Board. —Local Government Act*, 1858.**

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Brighton, in which the Local Government Act, 1858, has been duly adopted, have, in pursuance of the said Act, presented a Petition to the Right Honourable Sir George Cornewall Lewis, as one of Her Majesty's Principal Secretaries of State, praying for the alteration and partial repeal of certain Local Acts of Parliament in force within the said Borough, having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the Sixth year of the reign of King George the Fourth, intituled "An Act for the better regulating, paving, improving, and managing the town of Brighthelmston in the County of Sussex, and the poor thereof:"

An Act passed in the Thirteenth year of the reign of Queen Victoria, intituled "An Act to enable the Commissioners acting under an Act passed in the Sixth year of the reign of His late Majesty King George the Fourth, for better regulating, paving, improving, and managing the town of Brighthelmston in the County of Sussex, and the poor thereof, to purchase, improve, and manage the Royal Pavilion at Brighton, and the grounds thereof, and to enlarge, extend, and apply the Powers and Provisions of the same Act with reference thereto:"

An Act passed in the Eighteenth year of the reign of Her said Majesty, intituled "An Act to transfer to the Corporation of the Town of Brighton the property, powers, privileges, and liabilities of the Brighton Improvement Commissioners."

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said Borough in respect of the several matters mentioned in the said Petition.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such order can be valid without the confirmation of Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—The parts of the Local Act specified in the Schedule hereunto annexed shall be repealed.

2.—The Provisions of the Public Health Act, 1848, as to Byelaws shall extend to all Byelaws made under the said herein-before recited Local Acts.

3.—The

3.—The kinds of property exempted by the Proviso to the 133d Section of the said Local Act 6 Geo. 4. c. 179. from Rates under that Act shall be exempt from rating under the said Local Government Act, 1858, and the Acts incorporated therewith, but shall be liable to all Highway Rates levied by the Local Board within the said Borough.

4.—No re-appointment shall be necessary of Officers or persons appointed by the Commissioners or Town Council under the said Local Acts, but such Officers shall act, and all Securities given by them shall continue in force, as if the Appointments had been made and the Securities given under the said Public Health Act and the Local Government Act, and all powers under any of the parts of the said Local Acts not repealed by any Act of Parliament confirming this Order may be exercised in the manner directed by the Public Health Act, 1848, and the Local Government Act, 1858, for the exercise of powers under those Acts respectively, and the provisions of the said last-mentioned Acts shall extend and apply to matters arising under the unrepealed parts of the said Local Acts; and the said Public Health Act and Local Government Act shall be incorporated with the unrepealed parts of the said Local Acts, and the purposes of the said unrepealed parts shall be taken and deemed to be purposes of the said Public Health Act and Local Government Act.

Given under my hand this Twenty-fourth day of April 1861.

(Signed) G. C. Lewis.

Schedule to which this Order refers.

The parts of the Local Act 6 Geo. 4. c. 179., herein-before referred to in this Order, to be repealed, are as follow, that is to say:

The Sections numbered respectively in the copies of the said Act of the 6 Geo. 4. printed by the King's Printers, viz.:—Sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 29, 30, 33, 34, 35, 36, 37, 38, 39, 40, 50, 53, 54, 55, 56, 57, 60, 61, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 77, 78, 79, 80, 81, 83, 84, 85, 86, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 119, 120, 121, 122, 123, 124, 125, 126, 127, 132, 133, 134, 135, 136, 137, 138, 161, 188, 189, 193, 195 (except as relates to boats and bathing machines), and 196 (except as relates to boatmen and boats).

EAST COWES.

Provisional Order repealing a Local Act in force within the District of the East Cowes Local Board.—Local Government Act, 1858.

Whereas the Local Board for the District of East Cowes in the Isle of Wight, in which District the Local Government Act, 1858, has been duly adopted, have, in pursuance of the said Act,

presented a Petition to the Right Honourable Sir George Cornewall Lewis, as one of Her Majesty's Principal Secretaries of State, praying for the repeal of a certain Local Act of Parliament in force within the Isle of Wight aforesaid, so far as such Act affects the said District of East Cowes, the said Act having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the Twenty-third year of the reign of King George the Third, intituled "An Act for amending the Roads and Highways in the Isle of Wight."

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said District in respect of the several matters mentioned in the said Petition.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such order can be valid without the confirmation of Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—The said Local Act shall be repealed so far as such Act affects the District of the aforesaid Local Board of East Cowes.

Given under my hand this Twenty-fourth day of April 1861.

(Signed) G. C. Lewis.

PRESTON.

Provisional Order for repealing and altering Parts of a Local Act in force within the District of Preston; for extending the Borrowing Powers of the Preston Local Board of Health; for extending the Time for paying off Sums borrowed by such Board; and for other Purposes.—Local Government Act, 1858, *Sect.* 78.

Whereas the Public Health Act, 1848, has been duly applied to the Borough of Preston in the County of Lancaster, and the said Act and the Local Government Act, 1858, are respectively in force within and for the District of Preston aforesaid.

And whereas the said Local Board of Health received authority from the General Board of Health, under the Public Health Act, 1848, to borrow a sum of 55,000*l.* on mortgage of the Special District Rates of the Township of Preston, which Township forms a portion of the aforesaid District, and have borrowed under such authority sums amounting in the whole to 34,850*l.* for the Main Drainage of such Township, and the remaining portion of the first herein-before mentioned sum of 55,000*l.* will be required to complete such works.

And

And whereas also, under the herein-before recited Acts, the said Local Board must repay the money borrowed for such works, with all interest thereon, within a period of thirty years from the date of the borrowing of such money.

And whereas the said Local Board of Health have further borrowed, on mortgage of the Rates authorized to be made under the Preston Waterworks Act, 1853, the sum of 135,225*l.* to defray the cost of purchasing from the Preston Waterworks Company their undertaking, and the further sum of 80,000*l.* that being the full amount, above and exclusive of the herein-before mentioned purchase money, which the said Local Board are authorized to borrow under the Preston Waterworks Act aforesaid.

And whereas by that Act the said Local Board are required, in order to pay off any monies borrowed under it, to set aside in every year, from and after the expiration of five years from the passing of such Act, not less than 1,600*l.* as a sinking fund to be applied in paying off such monies.

And whereas the said several sums borrowed under the said Preston Waterworks Act are not sufficient to enable the said Local Board of Health to complete the Works necessary for supplying the said Borough with water, and a further sum will be required for the completion of such Works; but such further sum, with that already borrowed under the authority of the said Act, and under the authority of the Public Health Act, 1848, exceed the amount authorized to be borrowed by the several herein-before recited Acts.

And whereas the said Local Board have now, under the authority of the 78th section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, that the time allowed for the repayment of loans borrowed or to be borrowed on account of the Main Drainage Works within the aforesaid district of Preston may be extended from thirty to fifty years; that the time provided and fixed by the Preston Waterworks Act, 1853, (sec. 56,) for the commencement of a sinking fund to be applied under the provisions of that Act in paying off the money borrowed or to be borrowed on account of the waterworks of the aforesaid District, may be extended; and that the said Local Board may be empowered to borrow (for the completion of the Works for supplying water to such District), on mortgage of the Waterworks and Water Rates under the provisions of the Preston Waterworks Act, 1853, and of the rates leviable by the Preston Local Board of Health under the powers of the Public Health Act, 1848, and of the Local Government Act, 1858, such further sum or sums of money as, together with the amount already borrowed under the said several Acts, shall not exceed in the whole two years assessable value of the premises assessable within the District in respect of which such further sum or sums may be borrowed.

And whereas, after due inquiry and report by William Range esquire, the inspector appointed by me for the purpose, I am o

presented a Petition to the Right Honourable Sir George Cornewall Lewis, as one of Her Majesty's Principal Secretaries of State, praying for the repeal of a certain Local Act of Parliament in force within the Isle of Wight aforesaid, so far as such Act affects the said District of East Cowes, the said Act having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the Twenty-third year of the reign of King George the Third, intituled "An Act for amending the Roads and Highways in the Isle of Wight."

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said District in respect of the several matters mentioned in the said Petition.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such order can be valid without the confirmation of Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—The said Local Act shall be repealed so far as such Act affects the District of the aforesaid Local Board of East Cowes.

Given under my hand this Twenty-fourth day of April 1861.

(Signed) G. C. Lewis.

PRESTON.

Provisional Order for repealing and altering Parts of a Local Act in force within the District of Preston; for extending the Borrowing Powers of the Preston Local Board of Health; for extending the Time for paying off Sums borrowed by such Board; and for other Purposes.—Local Government Act, 1858, *Sect.* 78.

Whereas the Public Health Act, 1848, has been duly applied to the Borough of Preston in the County of Lancaster, and the said Act and the Local Government Act, 1858, are respectively in force within and for the District of Preston aforesaid.

And whereas the said Local Board of Health received authority from the General Board of Health, under the Public Health Act, 1848, to borrow a sum of 55,000*l.* on mortgage of the Special District Rates of the Township of Preston, which Township forms a portion of the aforesaid District, and have borrowed under such authority sums amounting in the whole to 34,850*l.* for the Main Drainage of such Township, and the remaining portion of the first herein-before mentioned sum of 55,000*l.* will be required to complete such works.

And

And whereas also, under the herein-before recited Acts, the said Local Board must repay the money borrowed for such works, with all interest thereon, within a period of thirty years from the date of the borrowing of such money.

And whereas the said Local Board of Health have further borrowed, on mortgage of the Rates authorized to be made under the Preston Waterworks Act, 1853, the sum of 135,225*l.* to defray the cost of purchasing from the Preston Waterworks Company their undertaking, and the further sum of 80,000*l.* that being the full amount, above and exclusive of the herein-before mentioned purchase money, which the said Local Board are authorized to borrow under the Preston Waterworks Act aforesaid.

And whereas by that Act the said Local Board are required, in order to pay off any monies borrowed under it, to set aside in every year, from and after the expiration of five years from the passing of such Act, not less than 1,600*l.* as a sinking fund to be applied in paying off such monies.

And whereas the said several sums borrowed under the said Preston Waterworks Act are not sufficient to enable the said Local Board of Health to complete the Works necessary for supplying the said Borough with water, and a further sum will be required for the completion of such Works; but such further sum, with that already borrowed under the authority of the said Act, and under the authority of the Public Health Act, 1848, exceed the amount authorized to be borrowed by the several herein-before recited Acts.

And whereas the said Local Board have now, under the authority of the 78th section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, that the time allowed for the repayment of loans borrowed or to be borrowed on account of the Main Drainage Works within the aforesaid district of Preston may be extended from thirty to fifty years; that the time provided and fixed by the Preston Waterworks Act, 1853, (sec. 56,) for the commencement of a sinking fund to be applied under the provisions of that Act in paying off the money borrowed or to be borrowed on account of the waterworks of the aforesaid District, may be extended; and that the said Local Board may be empowered to borrow (for the completion of the Works for supplying water to such District), on mortgage of the Waterworks and Water Rates under the provisions of the Preston Waterworks Act, 1853, and of the rates leviable by the Preston Local Board of Health under the powers of the Public Health Act, 1848, and of the Local Government Act, 1858, such further sum or sums of money as, together with the amount already borrowed under the said several Acts, shall not exceed in the whole two years assessable value of the premises assessable within the District in respect of which such further sum or sums may be borrowed.

And whereas, after due inquiry and report by William Range esquire, the inspector appointed by me for the purpose, I am o

presented a Petition to the Right Honourable Sir George Cornewall Lewis, as one of Her Majesty's Principal Secretaries of State, praying for the repeal of a certain Local Act of Parliament in force within the Isle of Wight aforesaid, so far as such Act affects the said District of East Cowes, the said Act having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the Twenty-third year of the reign of King George the Third, intituled "An Act for amending the Roads and Highways in the Isle of Wight."

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said District in respect of the several matters mentioned in the said Petition.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such order can be valid without the confirmation of Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—The said Local Act shall be repealed so far as such Act affects the District of the aforesaid Local Board of East Cowes.

Given under my hand this Twenty-fourth day of April 1861.

(Signed) G. C. Lewis.

PRESTON.

Provisional Order for repealing and altering Parts of a Local Act in force within the District of Preston; for extending the Borrowing Powers of the Preston Local Board of Health; for extending the Time for paying off Sums borrowed by such Board; and for other Purposes.—Local Government Act, 1858, *Sect.* 78.

Whereas the Public Health Act, 1848, has been duly applied to the Borough of Preston in the County of Lancaster, and the said Act and the Local Government Act, 1858, are respectively in force within and for the District of Preston aforesaid.

And whereas the said Local Board of Health received authority from the General Board of Health, under the Public Health Act, 1848, to borrow a sum of 55,000*l.* on mortgage of the Special District Rates of the Township of Preston, which Township forms a portion of the aforesaid District, and have borrowed under such authority sums amounting in the whole to 34,850*l.* for the Main Drainage of such Township, and the remaining portion of the first herein-before mentioned sum of 55,000*l.* will be required to complete such works.

And

And whereas also, under the herein-before recited Acts, the said Local Board must repay the money borrowed for such works, with all interest thereon, within a period of thirty years from the date of the borrowing of such money.

And whereas the said Local Board of Health have further borrowed, on mortgage of the Rates authorized to be made under the Preston Waterworks Act, 1853, the sum of 135,225*l.* to defray the cost of purchasing from the Preston Waterworks Company their undertaking, and the further sum of 80,000*l.* that being the full amount, above and exclusive of the herein-before mentioned purchase money, which the said Local Board are authorized to borrow under the Preston Waterworks Act aforesaid.

And whereas by that Act the said Local Board are required, in order to pay off any monies borrowed under it, to set aside in every year, from and after the expiration of five years from the passing of such Act, not less than 1,600*l.* as a sinking fund to be applied in paying off such monies.

And whereas the said several sums borrowed under the said Preston Waterworks Act are not sufficient to enable the said Local Board of Health to complete the Works necessary for supplying the said Borough with water, and a further sum will be required for the completion of such Works; but such further sum, with that already borrowed under the authority of the said Act, and under the authority of the Public Health Act, 1848, exceed the amount authorized to be borrowed by the several herein-before recited Acts.

And whereas the said Local Board have now, under the authority of the 78th section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, that the time allowed for the repayment of loans borrowed or to be borrowed on account of the Main Drainage Works within the aforesaid district of Preston may be extended from thirty to fifty years; that the time provided and fixed by the Preston Waterworks Act, 1853, (sec. 56,) for the commencement of a sinking fund to be applied under the provisions of that Act in paying off the money borrowed or to be borrowed on account of the waterworks of the aforesaid District, may be extended; and that the said Local Board may be empowered to borrow (for the completion of the Works for supplying water to such District), on mortgage of the Waterworks and Water Rates under the provisions of the Preston Waterworks Act, 1853, and of the rates leviable by the Preston Local Board of Health under the powers of the Public Health Act, 1848, and of the Local Government Act, 1858, such further sum or sums of money as, together with the amount already borrowed under the said several Acts, shall not exceed in the whole two years assessable value of the premises assessable within the District in respect of which such further sum or sums may be borrowed.

And whereas, after due inquiry and report by William Ranger esquire, the inspector appointed by me for the purpose, I am of

opinion that the prayer of such petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the powers now vested in me as one of Her Majesty's Principal Secretaries of State as aforesaid, I do hereby, by this Provisional Order under my hand, direct as follows:—

That from and after the passing of any Act of Parliament confirming this present Order—

1.—The Local Board of Health for the District of Preston aforesaid shall have power and authority to borrow or to reborrow for the completion of the works for supplying water to that District, and on mortgage of their Waterworks and of the Rates leviable under the authority of the Preston Waterworks Act, 1853, and of the Public Health Act, 1848, and Local Government Act, 1858, such a sum or sums of money as shall not together with the amount already borrowed, exceed in the whole two years assessable value of the premises within the District in respect of which such sum or sums may be so borrowed or reborrowed; the said borrowing or reborrowing of such further sum or sums of money for the completion of such works being subject to the provisions of the Local Government Act, 1858, and of the Preston Waterworks Act, 1853, in respect to the borrowing of money on security of the Rates leviable under such Acts.

2.—The period within which the Preston Local Board of Health should, under the Provisions of the Public Health Act, 1848, and of the Local Government Act, 1858, repay the amount borrowed or to be borrowed by them on security of the Rates leviable under the said Acts, to defray the cost of the Main Drainage Works executed by them within such District, be extended from thirty years to a period of fifty years from the date of the borrowing thereof, within which period of fifty years such amount borrowed for the execution of such Main Drainage Works shall, with all interest thereon, be repaid.

3.—Section 56 of the Preston Waterworks Act, 1853, be repealed, so far as it fixes the date at which the said Local Board of Health shall commence setting aside an annual sum to provide a sinking fund for the purposes therein set forth, and that in order to pay off the monies borrowed under the authority of the said Act, such Local Board of Health shall, in every year after the expiration of seven years from the passing of the Act confirming this Order, set apart not less than one thousand six hundred pounds as a sinking fund, for the purposes and in the manner set forth in the aforesaid fifty-sixth section of the said Preston Waterworks Act.

Given under my hand this Twenty-fourth day of April 1861.

(Signed) G. C. Lewis.
MORPETH.

MORPETH.

Provisional Order for altering the Boundaries of the District of Morpeth in the County of Northumberland, as constituted for the Purposes of the Public Health Act, 1848.—*Local Government Act,* 1858.

Whereas, by a Provisional Order of the General Board of Health, bearing date the Twenty-sixth day of May 1851, confirmed by the Public Health Supplemental Act, 1851 (No. 2), the Public Health Act, 1848, was duly applied to the Parliamentary Borough of Morpeth in the County of Northumberland.

And whereas a petition has been duly presented to me, as one of Her Majesty's Principal Secretaries of State, under the Provisions of the 77th Section of the Local Government Act, 1858, and duly signed by a majority of the owners and ratepayers in the Parish of Bedlington, which forms part of the District of Morpeth under the Public Health Act, 1848, praying for an alteration of the boundaries of the said District of Morpeth, by the separation of the Parish of Bedlington from such District as it was constituted under the herein-before recited Provisional Order, and the Act confirming the same.

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition, and report has been made to me thereon by William Ranger esquire, the Inspector appointed for the purpose.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct,—

That, from and after the passing of any Act of Parliament confirming this Order—

1.—The District of the aforesaid Local Board of Health for Morpeth in the County of Northumberland, constituted as herein-before described for the purposes of the Public Health Act, 1848, be altered by so much of the aforesaid District as is comprised within the Parish of Bedlington in the County of Northumberland, being excluded from the District of the aforesaid Local Board of Health.

2.—At every election of members of the Local Board of Health aforesaid which shall take place after the passing of the Act of Parliament confirming this Order, the members to be elected shall be elected for the whole of the District as altered by this Order, and by the votes of owners of, and ratepayers in respect of, property situate within the district so constituted.

Given under my hand this Third day of May 1861.

(Signed) G. C. Lewis.

BROMSGROVE.

Provisional Order for altering the Boundaries of the District of Bromsgrove in the County of Worcester, under the Local Government Act, 1858.—*Local Government Act,* 1858.

Whereas the Local Government Act, 1858, was, on the Fourteenth day of October 1859, duly adopted within the Parish of Bromsgrove in the County of Worcester by the Commissioners acting under and by virtue of the Bromsgrove Improvement and Small Tenement Act, 1846; and whereas the aforesaid Local Government Act, 1858, has had the force of law within such Parish from and after the Fourteenth day of December 1859.

And whereas a Petition has been duly presented to me, as one of Her Majesty's Principal Secretaries of State, under the provisions of the 77th Section of the Local Government Act, 1858, signed by owners and ratepayers of that part of the Parish of Bromsgrove in the County of Worcester which is not comprised within the limits of the Town of Bromsgrove, as described and defined in the Bromsgrove Improvement and Small Tenement Act, 1846 (9 & 10 Vict. c. 124), praying that such part of the said Parish may be separated from the District of the Bromsgrove Local Board; or, otherwise, that the Local Board for carrying into effect the last herein-before mentioned Act may be so constituted that the owners of property without the Town District may be enabled to vote in the election of such Board, that the scales of votes and method of voting prescribed in the Public Health Act, 1848, may be employed in such election, and that the qualifications of voters and commissioners may be those prescribed in the said Public Health Act, 1848.

And whereas, in pursuance of the said Local Government Act, inquiry has been directed and held in the said District in respect of the several matters mentioned in the said Petition, and report has been made to me thereon by Henry Austin esquire, the Inspector appointed for the purpose.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct,—

That, from and after the passing of any Act of Parliament confirming this Order—

All that portion of the District of Bromsgrove in the County of Worcester, under and for the purposes of the Local Government Act, 1858, which is not comprised within the limits of the Town of Bromsgrove, as such limits are defined in the 64th Section of the herein-before recited Bromsgrove Improvement and Small Tenement Act, 1846 (9 & 10 Vict. c. 124,) shall be separated from the said District, and the District of Bromsgrove, under the Local Government

Government Act, 1858, shall be confined within the limits of the Town of Bromsgrove, as the same are defined by the herein-before recited Bromsgrove Improvement and Small Tenement Act, 1846.

2.—The Local Board for the time being for the District of Bromsgrove shall be the Local Board for the District as altered by this Order and the Act of Parliament confirming the same.

Given under my hand this Twenty-fourth day of April 1861.

(Signed) G. C. Lewis.

DURHAM.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Durham Local Board of Health, for the Purchase of Lands by the said Board for Street Improvements.—Local Government Act, 1858.

Whereas the Mayor, Aldermen, and Citizens of the City of Durham and Framwellgate, by the Council of the said City, being the Local Board of Health in and for the District of the said City, to which the Public Health Act, 1848, was duly applied by a Provisional Order of the General Board of Health, confirmed by the Public Health Supplemental Act, 1849, have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to purchase certain pieces of land and certain buildings for the purpose of widening, opening, enlarging, and improving certain streets and highways in the said City, such land and buildings being all situate within the District of the said Local Board.

And whereas the said Petition duly set forth in the Schedule annexed thereto the several pieces of land and the several buildings intended to be taken by such Board for such purpose, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such Petition, Her Majesty's Principal Secretary of State for the Home Department directed William Ranger esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition and has duly reported thereon.

Now,

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That, from and after the passing of any Act of Parliament confirming this Order,—

1.—The Mayor, Aldermen, and Citizens of the City of Durham and Framwellgate, by the Council of the said City, being the Local Board of Health for the District of that City, shall be empowered to put in force, with reference to the land referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement; provided always that nothing in this Order contained shall authorize the aforesaid Local Board of Health to interfere with the Public Highway now existing between Elvet Bridge Street and Sadler Street in the said city.

Given under my hand this Twenty-ninth day of April 1861.

(Signed) G. C. Lewis.

Schedule referred to in the preceding Order.

The pieces of Land and the Buildings proposed to be taken, as described on the following Order, are the following:

A messuage, dwelling-house, shop, cellar, and premises, with the appurtenances, situate, standing, and being between the street called Sadler Street and Elvet Bridge, at the junction of the said streets, all in the parish of St. Nicholas in the said city of Durham, and which said messuage, dwelling-house, shop, cellar, and premises belong to George Bailes, and are now occupied by the said George Bailes and George Bailes the younger.

And also a messuage, shop, dwelling-house, and premises with the appurtenances, situate in the said parish of Saint Nicholas, fronting the street of Elvet Bridge, and adjoining the said last-described messuage, dwelling-house, shop, cellar, and premises, and which said messuage, shop, dwelling house, and premises belong to the said George Bailes, and are now occupied by Barbara Brown as tenant thereof.

And also a messuage, shop, and premises, with the appurtenances thereunto belonging, situate in the parish of Saint Nicholas, on the level with the said street of Sadler Street, and perpendicularly above the premises lastly described, and underneath a portion of the premises firstly before mentioned, and extending from the last-named street to Elvet Bridge aforesaid, and having a floor area of 22½ yards but no ground area, and which said premises belong to Michael Bailes, George Bailes the younger, and Thomas Bailes, and are now in the occupation of the said Thomas Bailes.

And also, all that messuage, dwelling-house, shop, cellar, warehouse, and premises, with the appurtenances, lying between Sadler Street and Elvet Bridge, in the said parish of Saint Nicholas.

Nicholas, belonging to the said Local Board of Health, the said shop, warehouse, or cellar, being now in the occupation of William Alexander Malcolm, and the remainder unoccupied, which said premises adjoin on the south side of the hereditaments and premises belonging to the said George Bailes, Michael Bailes, George Bailes the younger, and Thomas Bailes.

And also, all that piece or parcel of land, with the stairs or steps thereon, with their appurtenances, situate in the said parish of Saint Nicholas, commonly known by the name of the Magdalen Stairs, otherwise Maudlin Stairs, or Steps; and which said piece or parcel of land and stairs are now vested in the said Local Board of Health, and are used as a public road, way, or passage from the said street of Sadler Street to the street of Elvet Bridge, and abuts on the north side thereof on the premises lastly before mentioned.

CAP. XL.

An Act to make further Provision for the Management of Her Majesty's Forest of *Dean*, and of the Mines and Quarries therein and in the Hundred of *Saint Briavels* in the County of *Gloucester*. [22d *July* 1861.]

'WHEREAS the Commissioners appointed by the Act of the First and Second Years of Her present Majesty, Chapter Forty-three, intituled *An Act for regulating the opening and working of Mines and Quarries in the Forest of* Dean *and Hundred of* Saint Briavels *in the County of* Gloucester, duly made and published in pursuance of the Provisions in the said Act contained Three several Awards relating respectively to Coal Mines, Iron Mines, and Quarries, and dated respectively the Eighth Day of *March*, the Twentieth Day of *July*, and the Twenty-fourth Day of *July*, in the Year One thousand eight hundred and forty-one, which Awards contained Rules and Regulations for working the Coal Mines, Iron Mines, and Quarries respectively within the said Forest and Hundred: And whereas by the said Act a Power of Appeal to Her Majesty in Council against the Awards to be made by the said Commissioners within Three Months from the making and publishing of such Awards was reserved to all Parties who might deem themselves aggrieved thereby, but no such Appeal was ever made against any of the said Awards, whereby the said Awards have now become absolute and indefeasible: And whereas both before and since the passing of the said Act the Gales of Coal and Iron in the said Forest and Hundred have been granted without any Limitation or Declaration of the Estate or Interest of the Galee, or Words of Inheritance, (but with Power under the Act to transfer the same,) and by reason of such Omission Doubts might be entertained whether Grants of Gales conferred more than Estates for Life or for some other partial Interest; but inasmuch as it has been commonly supposed that such Grants enured for the Benefit of the Galees, their Heirs and Assigns, so long as the Mine, Vein, or Work 1 & 2 Vict. c. 43.

' galed

'galed or granted remained unexhausted, and the Galees, their 'Heirs or Assigns, duly observed and performed the Conditions 'subject to which it was galed or granted, Her Majesty, being 'minded to quiet all Doubts on the Subject, is willing and has 'consented that the Rights or Interests of Galees should be 'defined and declared in accordance with the common Opinion 'aforesaid to the Extent and in manner herein-after contained: 'And whereas it is also expedient to alter and amend certain 'Parts of the said Act, and of the said Rules and Regulations 'made in pursuance thereof, and to make certain other Pro-'visions with reference to the Mines and Quarries within the 'said Forest and Hundred:' Be it enacted and declared by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Declaration of the Interest conferred on a Galee by the Grant of a Gale.

1. The Grant of a Gale of Coal or Iron, or of a Stone Quarry, shall be deemed to have conferred and shall confer on the Galee, his Heirs and Assigns, a Licence to work the Mine, Vein, or Pit therein comprised, and such Grant shall be deemed to have conferred on the Grantee, his Heirs and Assigns, an Interest of the Nature of Real Estate, such Licence nevertheless being conditional on the Payment of all the Rents, Royalties, and other Dues from Time to Time payable to Her Majesty, Her Heirs and Successors, in respect thereof, and the Observance and Performance of the several Enactments, Provisions, Rules, and Regulations for the Time being in force for the proper opening, working, Use, and Management of the Gale.

Conditions on which all Leases of Stone, Clay, or Sand are held.

2. Every Lease of Stone, Clay, or Sand granted or to be granted shall in like Manner be deemed to have been granted and to be granted conditionally on the Payment of all the Rents, Royalties, and other Dues from Time to Time payable to Her Majesty, Her Heirs and Successors, in respect thereof, and the Observance and Performance of the several Enactments, Provisions, Rules, and Regulations for the Time being in force for the proper opening, working, Use, and Management thereof, and of the Covenants in the Lease contained (if any).

Act not to affect Right of Re-entry, &c.

3. Provided always, That nothing in this Act contained shall enlarge or diminish, or in anyway affect any Right of Re-entry or Eviction or Liability to Forfeiture; but every Gale, Pit, Level, Work, and Quarry shall be subject in all respects to the same Liability to Forfeiture and Eviction, and no other, as if this Act had not been passed.

Person in actual Possession or Receipt of Proceeds of Gale to pay the Rent.

4. The Obligation to pay the Rent, Royalty, and other Dues from Time to Time becoming payable in respect of every Gale of Coal, Iron, or Stone granted or to be granted, and to observe and perform the several Enactments, Provisions, Rules, and Regulations for the Time being in force for the proper opening, working, Use, and Management of the same, shall from Time to Time be and become a personal Obligation on the Person for the Time being in the actual Possession or Receipt of the Proceeds of the Gale, whether as Owner thereof for an Estate of Freehold,

hold, or as Lessee or Under-lessee or otherwise howsoever, and every such Person making default in the Payment of any such Rent, Royalty, or Due, or in the Observance or Performance of any such Enactment, Provision, Rule, or Regulation as aforesaid, may be proceeded against by or on behalf of Her Majesty, Her Heirs and Successors, in like Manner as if he had entered into a Covenant with Her Majesty, Her Heirs and Successors, to pay such Rent, Royalty, or other Due, and to observe and perform all such Enactments, Provisions, Rules, and Regulations: Provided nevertheless, that the Liability of every such Person shall cease and determine on the Cesser of such Title to the Possession or Receipt of Proceeds as aforesaid, except so far as shall relate to Rents, Royalties, or Payments due, and to Defaults in Observance or Performance of any of the said Enactments, Provisions, Rules, or Regulations committed before the Time of such Cesser of Title to Possession or Receipt of Proceeds: Provided also, that the Provisions in this Section shall be by way of Addition to and not substitutional for any Covenants, Conditions, or Stipulations in any Grant, and shall not extend to diminish or alter any Liabilities otherwise existing.

Empowering the Gaveller to sue in the County Court.

5. Any Rent, Royalty, and other Payment now due or which at any Time hereafter shall become due to Her Majesty, Her Heirs or Successors, under or in respect of the said Award, or any Gale, Lease, or Licence, or other Instrument granted or awarded under or in pursuance of the said Act or this Act, not exceeding in Amount the Sum of Fifty Pounds, or any Number of such Rents, Royalties, or other Payments due from the same Person or Persons in respect of any Number of such Gales, Leases, or Licences, not exceeding altogether the Amount aforesaid, may be sued for and recovered for and on behalf of Her Majesty, Her Heirs or Successors, by and in the Name of the Gaveller for the Time being in the County Court of the District within which such Rent, Royalty, or Payment, Rents, Royalties, or Payments, or any of them or any Part thereof, arose or became payable; and no Action commenced or continued by any Gaveller as aforesaid shall abate by reason of his Death, Removal, or Retirement, but shall and may be continued by and in the Name of his Successor for the Time being; and any Judgment for the Plaintiff in any such Action as aforesaid may be enforced by and in the Name of the Gaveller for the Time being, without any Process in the Nature of a Scire facias; and all Enactments, Rules, Orders, and Regulations for the Time being in force in respect of Proceedings in the County Courts shall and may, so far as the same shall be applicable to any such Action commenced or continued as aforesaid in the Name of any Gaveller, be applied to and observed in respect of any such Action.

Enlarging the Powers conferred by 25th Section of the recited Act as to Leases of

6. 'Whereas under the Twenty-fifth Section of the said Act 'the Commissioners for the Time being of Her Majesty's Woods, 'Forests, and Land Revenues have Power from Time to Time to 'grant Leases as therein mentioned for Terms not exceeding 'Thirty-one Years to any free Miner or other Person entitled to 'a Gale or Mining Work of any Part of the unenclosed Waste 'Land

Land for Mining Purposes.

'Land of the said Forest for the Purpose of erecting thereon any 'House, Building, or Machinery for the more convenient working 'of any Mine, or for any Purpose connected with any Mine or 'Work, so as there be not included more than One Acre and a 'Half of Land in any such Lease:' Be it enacted, That henceforth any Quantity of Land, either at One Spot or in several Spots, not exceeding One Acre and a Half in the whole for a Quarry, and Six Acres in the whole for a Coal or Iron Mine, may be leased under the said Section, and any such Land may be leased to the Owner or Holder of any Quarry, as well as to the Owners or Holders of Mines, and in addition to the Purposes in the said Section mentioned, any such Lease may be granted generally for any Purposes connected with the convenient working of any Mine, Work, or Quarry, or Disposition or Manufacture of the Produce thereof, whether involving the Erection of any House, Building, Furnace, or Machinery or not, or for the Purpose of any Garden or any other Convenience to any House erected or to be erected on any Land so leased; and any such Lease may contain such Proviso and Agreement as may be agreed on between the Commissioners and the Lessee for the Renewal from Time to Time of such Lease so long as the Mine, Work, or Quarry in respect of which the Lease shall have been granted shall not have been worked out.

Provision as to the Days for the Cesser and Determination of the Galeage and other Rents.

7. 'Whereas by the Forty-sixth Section of the said Act it was 'enacted, that as regarded Gales, Pits, Levels, or Works then 'existing, the Galeage, Rent, Royalty, or Tonnage Duty payable 'to Her Majesty, Her Heirs and Successors, should, at the End of 'Twenty-one Years from the making of the Award, and so on 'thereafter at the End of every subsequent Twenty-one Years, 'cease, if the Gaveller or Deputy Gaveller, or the Person or 'Persons entitled to such Gale, Pit, Level, or Work, should so 'elect, and as regarded Gales, Pits, Levels, or Works, thereafter 'to be granted, the Galeage, Rent, Royalty, or Tonnage Duty 'payable to Her Majesty, Her Heirs or Successors, under or by 'virtue or in respect of any Gale thereafter to be granted should, 'at the End of Twenty-one Years, and so on thereafter at the 'End of every subsequent Twenty-one Years from the granting 'thereof, cease, if the said Gaveller or Deputy Gaveller, or the 'Person or Persons entitled to the said Gale, Pit, Level, or Work, 'should so elect, and that upon any such Cesser the Gaveller or 'Deputy Gaveller for the Time being should fix the Amount of 'the new Galeage Rent, Royalty, or Tonnage Duty to be paid 'for the Twenty-one Years then next ensuing, the Cesser and 'Determination of the former Galeage Rent, Royalty, or Tonnage 'Duty in manner by the said Act provided: And whereas by the 'said Award of the said Commissioners relating to Coal Mines, 'which was dated the Eighth Day of *March* One thousand eight 'hundred and forty-one as aforesaid, there were reserved and 'made payable to Her Majesty, Her Heirs and Successors, in 'respect of the said several Gales of Coal thereby awarded or 'confirmed up to *Midsummer* then next, the former Galeage 'Rents, and thenceforward the several Royalties or Tonnage

'Duties

'Duties in the said Award specified payable on the Twenty-'fourth Day of *June* and the Twenty-fifth Day of *December* in 'every Year, and also a Rent commonly called a Galeage or Dead 'Rent, payable on the Twenty-fourth Day of *June* in every 'Year; and by the said Award of the said Commissioners 'relating to Iron Mines, which was dated the Twentieth Day of '*July* as aforesaid, there were reserved and made payable to Her 'Majesty, Her Heirs and Successors, in respect of the several 'Gales of Iron thereby awarded or confirmed up to *Christmas* then 'next, the former Galeage Rents, and thenceforward the several 'Royalties or Tonnage Duties in the same Award specified, 'payable on the Twenty-fourth Day of *June* and the Twenty-'fifth Day of *December* in every Year, and also a Rent commonly 'called a Galeage or Dead Rent, payable on the Twenty-fifth Day 'of *December* in every Year: And whereas in or by the Gales 'as well of Coal as of Iron which have been granted since the 'making of the said Awards respectively the Royalty or Tonnage 'Duty thereby reserved has been made payable on the Twenty-'fourth Day of *June* and the Twenty-fifth Day of *December* in 'every Year, and the Rent commonly called the Galeage or Dead 'Rent has been made payable on the Twenty-fourth Day of *June* 'in every Year in respect of Gales both of Coal and Iron, but 'few (if any) of such Gales have been granted on the Twenty-'fourth Day of *June:* And whereas the said Act contains no 'express Provision as to the Galeage Rents, Royalties, or 'Tonnage Duties accruing between the said respective Days of 'Payment and the Days of such Cesser or Determination as afore-'said, and it is expedient to make some Provision respecting the 'same:' Be it enacted, That in lieu of the Days mentioned in the said Act for such Cessers or Determinations as aforesaid, the Days for the same shall be in the Case of all Gales of Coal at the End of Twenty-one Years from the Twenty-fourth Day of *June* next following the Date of the Award or the Date of the Grant (as the Case may be), and in the Case of Gales of Iron Ore held under the Award at the End of Twenty-one Years from the Twenty-fifth Day of *December* next following the Date of the Award, and in the Case of Gales of Iron Ore granted since the Award at the End of Twenty-one Years from the Twenty-fourth Day of *June* next following the Date of the Grant, and so on thereafter at the End of every subsequent Twenty-one Years, and all new Galeage Rents, Royalties, or Tonnage Duties to be fixed as afore-said, shall commence on such Cesser or Determination of the old Rents, Royalties, or Duties.

Extending Powers of the Arbitrator under 27th, 47th, and other Sections of the recited Act.

8. 'Whereas under the Twenty-seventh and Forty-seventh 'and other Sections of the said Act it is provided that in case 'the Amount and Nature of the new Galeage or other Rent, 'Royalty, or Tonnage Duty to become payable at the Expiration 'of every Term of Twenty-one Years as aforesaid should not be 'fixed and agreed on by the Parties as therein mentioned, the 'same should be referred to the Decision of an Arbitrator to be 'appointed by the Court of Exchequer in manner therein 'mentioned: And whereas it is probable that many of the Dis-

'putes

'putes which may arise as to the Amount and Nature of such 'new Rents, Royalties, or Dues as aforesaid, although relating 'to separate Gales, Quarries, or Works, may involve One common 'Principle only, and much unnecessary Delay and Expense might 'be avoided by referring all such Disputes at once to the same 'Arbitrator; and it is also advisable to facilitate the Appoint-'ment of such Arbitrator:' Be it enacted, That the Powers given by the said Act to the Court of Exchequer may be exercised by any Judge of the said Court at Chambers, and that any Number of Disputes relating to the Nature and Amount of such new Rents, Royalties, or Duties as aforesaid, to become payable in respect of any Number of separate Gales, Quarries, or Works may, with the Consent of all Parties, be referred together to the Decision of One Arbitrator to be appointed as aforesaid, and may be determined and disposed of by such Arbitrator in and by One and the same Award, or (if he shall think fit) in and by Two or more separate Awards; and it shall be lawful for the Arbitrator in and by his Award or Awards, or One of them, to apportion in such Proportions and Manner as he shall think fit that Moiety of his Remuneration and of the Costs and Expenses attending the Arbitration, which by the said Act is not to be borne by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, amongst the several Persons other than the said Commissioners who shall have concurred in such united Reference as aforesaid.

Power to Gaveller or Deputy Gaveller to refuse the Registry of any Transfer until the Rent has been paid.

9. In case any Rent, Royalty, or other Payment shall be due to Her Majesty, Her Heirs or Successors, in respect of any Gale, Quarry, or Work at the Time when a Transfer of the Gale or Lease thereof shall be brought to the Office of the Gaveller or Deputy Gaveller for Registration, as by the said Act required, it shall be lawful for the Gaveller or Deputy Gaveller, if he shall think fit, to refuse to register such Transfer until the whole of such Rent, Royalty, or other Payment shall have been paid and satisfied; and in order that intending Purchasers of any Gale or Lease may be able to ascertain whether any such Rents, Royalties, or other Payments are in arrear, the Gaveller or Deputy Gaveller shall at all reasonable Times, and without Fee or Reward, give to any Person who may apply for the same a Statement of the Amount of Rent, Royalty, or other Payments then due in respect of any Gale or Lease, or a Certificate that no such Rent, Royalty, or other Payment is due, and any such Statement or Certificate shall be conclusive as between Her Majesty, Her Heirs and Successors, and such intending Purchaser, but not for any other Purpose.

As to Form of Minute of Registry.

10. For the more convenient and orderly Registration of Transfers of Gales or Leases, as by the said Act required, be it enacted, That the Minute or Docket to be brought for Registration shall be in the Form given in the Schedule to this Act, or as near thereto as Circumstances will admit of.

Power to refuse the Registry of any Transfer which is imperfect.

11. In all Cases where a Transfer or Devolution of any Gale or Lease as aforesaid has been or shall have been effected, or has taken or shall have taken place by Will or Descent, or in any other Manner than by a Deed requiring Registration under the said Act.

Act, the Gaveller or Deputy Gaveller shall be at liberty to refuse to register any subsequent Transfer thereof, unless the Deed effecting such subsequent Transfer contained a Recital of the Circumstances under which such unregistered Transfer or Devolution took place.

Gaveller or Deputy Gaveller may endorse Memorandum of Entry of Transfer on last preceding Transfer instead of upon original Certificate of Grant of a Gale.

12. 'Whereas by the Fifty-eighth Section of the said Act it 'is enacted, that upon the Entry of all Minutes or Dockets of 'Transfers of Gales in the Books of the Gaveller or Deputy 'Gaveller, the Gaveller or Deputy Gaveller shall endorse and 'sign a Memorandum of such Entry and the Date thereof on such 'Transfer, or in the Case of an Assignment of a Gale granted 'after the passing of the said Act on the original Certificate of 'the Grant thereof: And whereas in some Cases such original 'Certificates have become covered with such Memorandums of 'Transfer, so that there is no Room for further Memorandums, 'and others may hereafter become so covered; and other such 'original Certificates have been or may be lost or accidentally 'destroyed, and it is expedient that the Gaveller or Deputy 'Gaveller should have Power in such and similar Cases to 'endorse such Memorandums as aforesaid on the last preceding 'Transfer instead of on the original Certificate:' Be it enacted, That it shall be lawful for the Gaveller or Deputy Gaveller, if under the Circumstances of any Case he shall deem it fit or expedient so to do, to endorse the Memorandum in the said Fifty-eighth Section of the said Act mentioned on the then last preceding Transfer of a Gale instead of on the original Certificate of the Grant thereof.

Provision as to Fee for Entry of Minute of Transfer.

13. In lieu of the Fee in the said Fifty-eighth Section of the said Act mentioned, the Fee for the Entry of every Minute or Docket entered after the passing of this Act shall be, if the same shall not exceed Five Folios of Seventy-two Words each, the Sum of Two Shillings and Sixpence, and if the same shall exceed Five Folios but not exceed Ten Folios, the Sum of Five Shillings, and if the same shall exceed Ten Folios, then the Sum of Five Shillings, with an additional Sum of Fourpence for every Folio or Part of a Folio above Ten.

Unregistered Transfers void.

14. All Transfers requiring Registration under the said Act shall in default of such Registration be void, subject nevertheless and without Prejudice to the Power of making Entries *nunc pro tunc*, provided by the Fifty-ninth Section of the said Act.

Empowering the Commissioners of Woods to grant Licences to sink Pits and to use or exercise other Rights and Easements, &c. in Inclosures and other Lands in the Forest.

15. 'Whereas under the Sixty-fifth Section of the said Act the 'Commissioners for the Time being of Her Majesty's Woods, 'Forests, and Land Revenues have Power (if they in their Discretion shall see fit) to grant Licences to such Person or Persons 'as they may think proper for sinking Air Shafts in any Inclosures belonging to Her Majesty, Her Heirs and Successors, 'and for forming any Railroad or Tramroad along or across any 'of such Inclosures, subject nevertheless to the Conditions, 'Restrictions, and Provisoes in the said Section contained or 'referred to:' Be it enacted, that the Power in the said Section contained shall also extend to the Grant of Licences to sink or open and work and use any Pits, Shafts, or Levels for any Purpose,

and to make Roads other than Railroads or Tramroads therein, and to the Grant of Licences to use any Rights of Way or Water, or of Outstroke or Instroke, and any other Easements, Privileges, or Conveniences whatsoever for the more convenient Use, Working, Enjoyment, or Disposal of the Produce of any Gale, Quarry, or Work; and any such Right, Privilege, or Easement as in the said Sixty-fifth Section of the said Act or in this Section mentioned, may be granted in, upon, through, or under any of the Waste Lands or any of the inclosed Lands belonging to Her Majesty, Her Heirs or Successors, within the said Forest, or under any Mine, Quarry, Land, or Work comprised in any existing Gale, Lease, or Grant: Provided nevertheless, that the Grantee of any such Licence as in this Section mentioned or referred to shall do as little Damage in the Use or Enjoyment of such Rights, Privileges, or Easements as reasonably may be, and shall pay to all Persons damaged or injured a reasonable Compensation for all Damage or Injury done or occasioned in or by the Use or Enjoyment thereof, the Amount whereof in case the Parties shall differ shall be settled by Arbitration, as provided in the Rules and Regulations comprised in the said Awards, and also that any such Grantee or Licencee, his Heirs, Executors, or Administrators, shall as soon as reasonably may be after he or they shall have ceased to use or to require any such Right, Privilege, or Easement, shall at his and their own Costs and Charges well and effectually level, fill up, arch over, or otherwise make good and restore to their former Condition, to the Satisfaction of the Gaveller or Deputy Gaveller, all the Places in or over which he or they may have exercised any such Right, Privilege, or Easement as aforesaid, unless required by the Gaveller or Deputy Gaveller to leave the same in their then present Condition; and every such Grant or Licence as in this Section or the said Sixty-fifth Section of the said Act mentioned shall be deemed to be conditional on the due Observance and Performance of all the Conditions, Restrictions, Regulations, and Provisoes, and Payment of all the Rents or Reservations under and subject to which the same shall be granted.

Varying the Powers of the Gaveller as to awarding Compensation for Surface Damage to inclosed Lands.

16. 'And whereas the Provisions of the Sixty-eighth Section 'of the said Act, as to the Compensation to be paid by every 'Free Miner or other Person entitled to any Gale, Pit, Level, or 'Work within any inclosed Lands of the said Hundred for 'Surface Damage, require Amendment, and it is expedient to 'amend the same in manner herein-after provided:' Be it enacted, That, with respect to any Damage done after the passing of this Act, it shall be lawful for the Gaveller or Deputy Gaveller for the Time being to determine whether such Compensation shall consist of an annual Payment or a Sum in gross, or partly of the one and partly of the other, and either absolutely or on Condition, and to make such Order in reference thereto and as to the Payment of or the giving Security for the Payment of the same or any Part thereof respectively as he shall think just and expedient, and to assess such Compensation notwithstanding any such Gale, Pit, Level, or Work may have been previously actually opened and

and worked; and that no Action or Suit for Recovery of such Compensation or of Damages in lieu thereof, shall be commenced or instituted until the Award of the Gaveller or Deputy Gaveller shall have been made on such an Application.

Commissioners of Woods may grant Leases of any Clay or Sand which may be found in any Mine or Pit.

17. 'Whereas by the Eighty-fourth Section of the said Act the 'Commissioners for the Time being of Her Majesty's Woods, 'Forests, and Land Revenues have Power to grant Leases to 'any Person or Persons for any Term not exceeding Twenty-one 'Years, to dig and get Clay or Sand off and from any of the 'Open or Waste Lands of the said Forest, subject to such Rents 'or Duties, Covenants, Conditions, and Provisoes as in the said 'Section are mentioned or referred to:' Be it declared and enacted, That the said Section shall extend to empower the said Commissioners for the Time being to grant such Leases as therein mentioned of any Clay or Sand which may be found in any Pit, Level, Quarry, or Work, to the Person or Persons entitled to such Gale, Pit, Level, Quarry, or Work; and also to grant such Leases as in the said Section are mentioned of any Part or Parts of the Open or Waste Lands of the said Forest, for the Purpose of erecting Kilns and other Works and Buildings for the Manufacture and Burning of any Clay, already leased or to be leased under the said Section or this present Section, into Bricks or Tiles: Provided that the Leases granted under this Clause, of any Clay or Sand which may be found in any Gale, Pit, Level, Quarry, or Work, shall enure only to the Benefit of the Person or Persons for the Time being entitled to such Gale, Pit, Level, Quarry, or Work, so that the Right of working Clay or Sand, and the Right of working the Gale, Pit, Level, Quarry, or Work, shall always be vested in the same Person or Persons.

Varying the Third Rule relating to Surrender of Quarries by substituting Michaelmas Day for Lady Day.

18. 'Whereas by Number Three of the Rules and Regulations 'relating to Quarries made by the Commissioners appointed by 'the said Act as aforesaid, it was provided that all Persons then 'holding One or more Gale or Gales of Stone Quarry or Quarries, 'as ascertained by the said Award, should be at liberty to give 'up all or any of such Gales at *Lady Day* in any Year after the 'Date thereof, upon giving Three Months previous Notice in 'Writing to the Gaveller or Deputy Gaveller as therein men-'tioned: And whereas in the Leases of Stone Quarries which have 'been granted under the Eighty-third Section of the said Act, 'there has been commonly contained a Proviso that it shall be 'lawful for the Lessee to determine the Lease at *Michaelmas* in 'any Year on giving Six Months Notice; and also a Covenant or 'Declaration that the Lease was granted subject to the Rules 'and Regulations contained in the said Award, which last-men-'tioned Covenant or Declaration is not consistent with the Third 'Rule herein-before mentioned:' Be it enacted, That the said Third Rule shall be varied as regards all Surrenders for which Notice shall not have been given before the passing of this Act, by substituting therein *Michaelmas Day* for *Lady Day*, and that the aforesaid Provisoes contained in Leases of Quarries granted as aforesaid shall be deemed valid and effectual notwithstanding such Inconsistency with the said Rule as aforesaid.

 19. 'Whereas

All Gales of Coal or Iron Mines, and all Gales or Leases of Quarries determined by Notice to be void without any Deed, Surrender, or other Act.

19. 'Whereas by Number Six of the Rules and Regulations 'relating to Coal Mines and to Iron Mines respectively made 'by the said Commissioners as aforesaid it is provided, that all 'Persons then or at any Time thereafter holding One or more 'Gale or Gales of any Mine or Mines of Coal and Iron Ore 'respectively, should be at liberty to give up all or any of such 'Gales on giving such Notice in Writing to the Gaveller or 'Deputy Gaveller as therein mentioned:' Now be it enacted and declared, That all Gales of Coal or Iron Ore, and also all Gales or Leases of Quarries which have been or shall be surrendered or given up under the said Rules mentioned in this and the last preceding Section (as varied by this present Act), did and shall on the Expiration of the Notice required as aforesaid become absolutely void, without any Deed or any further Surrender or other Act by the Galee or by any other Person, except only so far as related or shall relate to the Rights and Powers of Her Majesty, Her Heirs or Successors, for the Recovery of any Rents, Royalties, or other Payments due in respect or by reason of such surrendered Gale.

Surrenders other than by Notice may be made and accepted by the Gaveller on behalf of Her Majesty.

20. With regard to the Surrender of Gales and Leases other than the Surrenders mentioned or referred to in the last preceding Two Sections, be it enacted and declared, That in addition to the Rights or Powers of Surrender specified in the Rules and Regulations contained in the said Awards, any Gale, Quarry, or Work, whether comprised in the said Awards or subsequently granted or leased or hereafter to be granted or leased, and any Land granted or leased or hereafter to be granted or leased in connexion with any Gale, Quarry, or Work, may be lawfully surrendered to Her Majesty, Her Heirs and Successors, if Her Majesty, Her Heirs or Successors, shall think fit to accept the same, and any such Surrender may be accepted by the Gaveller for and on behalf of Her Majesty, Her Heirs and Successors, on such Terms and Conditions as he shall think expedient and proper, whether such Terms and Conditions shall be in accordance with the said Rules and Regulations contained in the said Awards or not; and every such Surrender shall be registered in the same Manner as Transfers of Gales or Leases, but shall be valid and effectual, whether registered or not; and that all such Surrenders as in this Section mentioned heretofore made to and accepted by or on behalf of Her Majesty (whether registered or not) are and were valid and effectual; and further, that all Gales, Quarries, Land, and Works surrendered or to be surrendered as aforesaid, from and immediately after the Completion of such Surrender, were and became or shall be deemed to be or to have been Gales, Quarries, Land, or Works ungaled or unleased.

Gaveller, with Consent of Owners, may unite or divide Two or more Gales, &c. and regrant them to Per-

21. In case the Owner or Owners of any existing or future Gale of Coal, Iron, or Stone shall be desirous to have the same divided into Two or more Parts, and to hold such several Parts either as separate Gales or as Parts of other Gales, it shall be lawful for the Gaveller or Deputy Gaveller, if he shall think fit, notwithstanding anything in the Sixtieth or any other Section of the said Act or in the said Awards contained, to effect such Division

Division by granting new Gales to any Person or Persons who shall or may surrender any Gale for that Purpose, provided that the whole of the original Gale be comprised in every such Surrender, and be immediately regranted as aforesaid: Provided also, that on any such Regrant it shall be lawful for the Gaveller to reserve such Galeage and other Rents, Royalties, and other Payments, and to make such Conditions and Reservations as he shall deem necessary to prevent any Loss or Detriment to Her Majesty, Her Heirs or Successors, by reason of such Division.

sons entitled after Surrender duly made.

22. 'Whereas by the Seventy-seventh Section of the Act of 'the Tenth Year of King *George* the Fourth, Chapter Fifty, it 'is provided that no Memorandum, Contract, or Agreement to 'be made or entered into by or with the Commissioners of Her 'Majesty's Woods, Forests, and Land Revenues for the Time 'being, under the Powers and Provisions of that Act, for the 'Sale, Purchase, or Exchange of any Hereditaments by the said 'Commissioners, nor any Deed, Receipt, or other Instrument 'which shall be given, granted, entered into, executed, or made 'for the Purpose of carrying into effect any Sale, Purchase, or 'Exchange to be made by the said Commissioners under the 'Powers and Authorities of the said Act, or which shall be 'incidental to or connected with any such Purchase, Sale, or 'Exchange, nor any Grant by the said Commissioners under the 'Authority of the said Act, nor any Lease, or Contract or 'Agreement for any Lease, nor any Counterpart of any Lease to 'be entered into, made, executed, or granted under the Powers 'and Authorities of the said Act, nor any Appointment of Officers 'to be made by the said Commissioners under the Authority of 'the said Act, nor any Certificate for any Gamekeeper appointed 'or to be appointed under the Authority of the said Act, nor 'any Bond to be given by or for any Receiver or other Officer or 'Agent, from whom any Security may be required by the said 'Commissioners, shall be subject to any *ad valorem* or other 'Stamp Duty whatsoever imposed by any Act or Acts then in 'force, nor to any *ad valorem* or other Stamp Duty to be imposed 'by any future Act or Acts, unless the same shall be specially 'subjected thereto in and by such future Act or Acts:' Now be it enacted and declared, That all and singular the Exemptions from Stamp Duty conferred by the said Act as aforesaid, did and shall extend to all Grants of Gales and other Grants, Leases, Licences, Surrenders, Contracts, Agreements, Appointments, Certificates, Awards, and Bonds already made, granted, accepted, or entered into, or hereafter to be made, granted, accepted, or entered into, by, with, or to Her Majesty, Her Heirs and Successors, or the Commissioners of Her Majesty's Woods, Forests, and Land Revenues for the Time being, or the Gaveller or Deputy Gaveller for the Time being, on behalf of Her Majesty, in relation to the Hereditary Possessions and Land Revenues of Her Majesty within the said Forest of *Dean* or Hundred of *Saint Briavels*.

All Instruments already made or hereafter to be made by or on behalf of Her Majesty in relation to the Forest or Hundred to be exempt from Stamp Duty.

23. 'Whereas by Number Twenty-one of the said Rules and 'Regulations relating to Coal Mines, and Number Nineteen of 'the said Rules and Regulations relating to Iron Mines, Power

Gaveller to settle any Disputes as to Boundaries,

and to alter (with Consent of Owners) Boundaries of adjoining Gales.

'is given to the Gaveller or Deputy Gaveller to settle Disputes 'respecting the Position of any Workings in manner therein 'mentioned, in all Cases where the Boundary of any Tract of 'Coal or Iron Ore is defined by the Workings of another Tract of 'Coal or Iron Ore:' Be it enacted, That the Gaveller or Deputy Gaveller (if he shall think fit) may, with the Consent of the Owner or Owners of any adjoining Gales or Workings of Coal or Iron Ore, alter the Boundary between such adjoining Gales or Workings; and for the Purposes of this Section, Gales or Workings divided only by a Barrier which has been directed to be left unworked shall be deemed adjoining Gales or Workings.

Power to the Gaveller or Deputy Gaveller to license the working and disposing of the Coal in any Barrier.

24. In all Cases where, either under the Award made as aforesaid or under any Gale granted or to be granted, the Boundary of any Gale or Vein of Coal is or shall be declared to be a Barrier of Coal lying between such Gale or Vein and any adjoining Gale, Vein, or Work, or the Galee shall be directed to leave such a Barrier, it shall be lawful for the Gaveller or Deputy Gaveller, whenever he shall consider that the Coal contained in such Barrier or any Part thereof may be safely and properly worked and got, to grant to the Owners of the several Gales or Works on the Two Sides of such Barrier, or to the Owner of the Gale or Work for the Protection of which such Barrier was in the Opinion of the Deputy Gaveller left, Licence to work, win, and dispose of all or any Part of the Coal in such Barrier, subject nevertheless to the like Royalties, Payments, Conditions, Rules, and Regulations as the Remainder of the Coal in the Gale to the Owner whereof such Licence is granted is or shall be subject to, and to such other Conditions, Rules, and Regulations as the Gaveller shall think proper to impose, and thereupon such Coal so permitted to be worked shall be deemed to be Part of the Mine or Work originally awarded or galed to such Owner or to those through whom he claims: Provided that no Grant shall be made under the Provisions of this Clause until Notice of the Intention to make the same shall have been published during Three successive Weeks in a Newspaper circulating in the Forest of *Dean*, and all Persons who before the Expiration of a Week from the Publication of the last of such Notices shall have claimed to be Persons who would be affected by any such Grant shall be heard by themselves, their Counsel, Agents, and Witnesses, on such Day as the Gaveller or Deputy Gaveller shall have appointed or may appoint for that Purpose.

Explaining the Provisions of the 10 G. 4. c. 50. and 1 & 2 Vict. c. 42. as to Trespasses in the Forest.

25. 'Whereas under the Provisions of the said Act of the 'Tenth Year of King *George* the Fourth, Chapter Fifty, and 'the Act of the First and Second Years of Her present Majesty, 'Chapter Forty-two, intituled *An Act to empower the Commissioners of Her Majesty's Woods, Forests, and Land Revenues 'to confirm the Titles to and to grant Leases of Encroachments 'in the Forest of* Dean *in the County of* Gloucester, the Verderers 'of the said Forest of *Dean* have Powers to inquire into all 'unlawful Inclosures, Trespasses, and Encroachments within the 'said Forest, and to proceed against Persons guilty of the same, 'but Doubts have been entertained as to the Nature of the Tres-

'passes

'passes comprised within the said Provisions:' Be it enacted and declared, That the Provisions now in force under and by virtue of the said Acts or either of them relating to Trespasses within the said Forest of *Dean*, and the Punishment thereof, did and shall extend to all Cases of Trespass by cutting, taking, or carrying away of Turf, Gravel, Stone, Sand, or other Soil within the said Forest, in addition to all other Trespasses within the Purview of the said Acts or either of them.

Provision as to Woodmen's or Labourers Cottages in the Forest.

26. 'Whereas in the Inclosures made or to be made in the said 'Forest under the Authority of the several Acts of Parliament 'relating thereto, small Portions of Land have been and may be 'appropriated by the Crown for Cottages and Buildings for 'Woodmen or Labourers with Gardens attached thereto, and it 'may not be expedient that such small Portions of Land should 'in all Cases be liable to be thrown open with the rest of the 'Inclosures in which they are situate:' Be it enacted, That notwithstanding anything in the said Acts or any of them contained, Cottages or Buildings erected or to be erected for Woodmen in any Inclosure within the said Forest, and the Sites thereof, with a Garden and Orchard attached to each of such Cottages not exceeding in each Case Two Acres in Extent, may, if and so long as the Commissioners of Her Majesty's Woods, Forests, and Land Revenues shall think fit, remain and be held in severalty in the actual Possession of the Crown freed and discharged from all Rights of Common and other Rights, Titles, or Claims whatsoever: Provided always, that the total Quantity of Land within the said Forest which Her Majesty, Her Heirs and Successors, are by the said Acts or any of them authorized to hold and keep inclosed and in severalty shall not be thereby increased.

As to Acts authorized to be done by Commissioners of Woods, &c.

27. All Acts, Matters, and Things to be done or authorized to be done by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, in pursuance of this Act or of the said recited Acts or any of them, may be done by the Commissioner or other Officer for the Time being of Her Majesty in charge of the said Forest.

1 & 2 Vict. c. 43. and this Act to be as One.

28. The said Act of the First and Second Years of Her Majesty, Chapter Forty-three and this Act, shall, so far as is practicable, be read and construed together as One Act, and the Rules and Regulations contained in the said Awards as varied by this Act shall be deemed applicable to the Provisions of this Act.

THE SCHEDULE.

A MEMORIAL to be registered of an Indenture bearing Date the Day of 18 , made between *A.B.* of, *&c.* of the one Part, and *C.D.* of, *&c.* of the other Part.

[*In the Case of a Transfer or Devolution of any Gale or Lease by Will or Descent, or in any other Manner than by a Deed requiring Registration under this Act, here recite the Circumstances under which such unregistered Transfer or Devolution took place*].

For the Considerations therein mentioned [*transcribe Parcels*], with their Rights and Appurtenances, were conveyed [*or* assigned] unto

unto and to the Use of the said *C.D.*, his Heirs and Assigns [*or* unto the said *C.D.*, his Executors, Administrators, and Assigns].

[*In case of a Mortgage*], "by way of Mortgage."

Which said Indenture as to the Execution thereof by the said *A.B.* and *C.D.* is witnessed by, *W.Z.* of, *&c.*

CAP. XLI.

An Act to enable the Admiralty to acquire Property for the Enlargement of Her Majesty's Dockyard at *Chatham* in the County of *Kent*, and to embank Part of the River *Medway*; and for other Purposes connected therewith.

[22d *July* 1861.]

'WHEREAS it is expedient for Her Majesty's Service that 'Her Majesty's Dockyard at *Chatham* in the County of '*Kent* should be enlarged, and for such Purpose that the Com- 'missioners for executing the Office of Lord High Admiral 'of *Great Britain* and *Ireland* (herein-after styled the Com- 'missioners) should have the Powers herein-after mentioned 'conferred upon them: And whereas Plans and Sections and a 'Book of Reference relating to the Enlargement of the said Yard 'and to the Embankments and Works herein-after referred 'to have been deposited with the Clerk of the Peace for the 'County of *Kent:*' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpretation of Terms.

1. In the Construction of this Act—

The Word "Ways" shall mean Turnpike Roads, Highways, Streets, Lanes, Occupation Roads, or Ways, Footpaths, Causeways, Passages, and other Ways of every Kind soever:

The Word "Lands" shall include Lands, Messuages, Buildings, Tenements, Landing Places, Wharves, Fisheries, and Hereditaments of every Description and every Tenure, and all public and private Rights, Liberties, Appurtenances, Easements, and Privileges of every Description, in, over, upon, under, or through any Lands, Messuages, Tenements, and Hereditaments:

The Words "Special Act" in the Act incorporated herewith shall mean this Act, and the Words "Promoters of the Undertaking" and "Company" in the Act incorporated herewith shall mean the Commissioners:

The Word "Person" shall include a Body Corporate.

Certain Clauses of 8 & 9 Vict. c. 18. incorporated.

2. The several Provisions of "The Lands Clauses Consolidation Act, 1845," except Sections 11, 12, 13, 14, 16, 17., 123., 127, 128, 129, 130, 131, 132, 133, 134., 140., 148., 150, and 151. of such Act, shall, so far as the same Provisions may be respectively applicable

applicable to and not inconsistent with or modified by the Provisions of this Act, be incorporated with and form Part of this Act as if re-enacted herein, and shall be applicable to the Purposes hereof.

Power to Admiralty to purchase Lands.

3. Subject and according to the Provisions of this Act, it shall be lawful for the Commissioners, if they think fit, at any Time hereafter to purchase or take all or any of the Lands delineated on the said Plans and mentioned in the said Book of Reference so deposited with the Clerk of the Peace for the County of *Kent* as aforesaid, or any Estate, Lease, Term, Share, or Interest thereof or therein, and to vary or extinguish any Rights or Privileges connected with any of such Lands which they may at any Time consider requisite for the Enlargement or Improvement of the said Dockyard, or for the Purposes of this Act, and to enter into, execute, and make and do all such Contracts, Assurances, and Things as may seem to them necessary or proper in that Behalf, and when so purchased or taken the same Lands shall be and become and continue vested in the Commissioners and their Successors in Office for the Time being, according to the Nature and Quality thereof respectively, and to the Estate, Term, Share, or Interest acquired therein respectively by the Commissioners, to be held and enjoyed by the Commissioners for the Time being in succession in trust for Her Majesty, Her Heirs and Successors, for the Public Service, or as the Commissioners or their Successors in Office may at any Time or Times direct.

Power to the Commissioners to stop up Creeks and abolish Landing Places, Ferries, and Roads.

4. When the Commissioners shall have acquired or purchased in perpetuity the Fundus or Soil of *Saint Mary's Creek*, otherwise *Swinborough Creek*, in the Parishes of *Chatham* and *Gillingham*, or One of them, in the County of *Kent*, and of any other Creek or Inlet shown on the said Plans or One of them, and have compensated the Mayor and Aldermen and Company of Free Dredgers of the City of *Rochester* for the Destruction of the Fishery in the said Creeks, or any or either of them, it shall be lawful for the Commissioners, without any Writ being issued or other legal Proceeding being adopted, to embank and stop up both or either of the Ends of such Creeks, or of any or either of them, the Fundus or Soil of which shall have been so purchased or acquired, and in respect of which Compensation for the Destruction of the said Fishery shall have been made as aforesaid, and to reclaim the Fundus or Soil, and divert the Waters of such Creeks or any or either of them, and to abolish the Ferry across the River *Medway* from the Hard or Landing Place called *Prince's Bridge* to and from the opposite Shore of the said River at *Upnor*, and to stop up and abolish the Highway, Carriageway, and Footpath passing on the Outside of and adjacent to the Eastern and Northern Boundary Walls of Her Majesty's Dockyard at *Chatham*, extending from the Lower End of *Westcourt Street* in the Town of *Brompton* in the Parish of *Chatham* in the County of *Kent* to the said Hard or Landing Place called *Prince's Bridge*, and the Ends nearest the said Highway, Carriageway, and Footpath of all Ways leading into,

into, across, or from the said Highway, Carriageway, and Footpath, passing on the Outside of or adjacent to the said Boundary Walls, and also all Ways over, through, or across any of the Lands acquired or to be acquired under the Provisions of this Act, and also to abolish the Hards or Landing Places at *Prince's Bridge* and *Gillingham Bridge*, and the Parish Wharf near thereto, or any or either of them, or any Part or Parts thereof; and the Fundus or Soil of the said Creeks and each of them, when so purchased or acquired respectively as aforesaid, and of the said Hards and Landing Places, and the Site and Soil of the said Highway, Carriageway, and Footpath, shall vest absolutely and exclusively in the Commissioners, as is herein provided with respect to Lands purchased, taken, or acquired by the Commissioners under this Act; and it shall be lawful for the Commissioners to make such Openings in the Embankments or Walls of the said Creeks, or any or either of them, at any Time or Times, as they the Commissioners may deem expedient for Her Majesty's Service.

Before abolishing certain existing Landing Places Admiralty to construct a public Wharf at Eastern Side of proposed new Boundary Wall of Dockyard.

5. Notwithstanding anything in this Act contained, the Commissioners shall, before abolishing the said Ferries or Landing Places called respectively *Prince's Bridge* and *Gillingham Bridge*, and taking possession of the Wharf and Land belonging to the said Parish of *Gillingham*, and the Roads approaching thereto, construct and complete a public Wharf up to Low-water Mark at Spring Tides for the said Parish as near as may be to the Eastern Side of the proposed new Boundary Wall of the said Dockyard, such Wharf to be of the Length of Six hundred Feet or thereabouts, with a Wharf One hundred Feet in Width for the whole Length, with an inclined Road or Draw Dock for loading and unloading Barges, and shall in carrying out the Arrangement give adequate and sufficient Protection from the Sea up *Gillingham Reach* for Vessels when lying alongside the Wharf, either by an Embankment carried along the Line of Low-water Mark and raised above High-water Mark, or by forming the opposite or East Wall of the *Camber*, or by placing the *Camber* itself and Draw Dock on the West Side of the Wharf, or in some Manner to the Satisfaction of the Board of Surveyors of the said Parish of *Gillingham*, which may be equally efficient, and also make proper and sufficient Roads and Approaches to the said Wharf to and from the High Road near thereto, and that the Expenses of the Solicitor and Engineer of the Board of Surveyors connected with this Clause up to the Insertion thereof, and any necessary Expenses for conveying to the Commissioners the said Wharf and Land, Hards, Landing Places, Highways, Carriageways, and Footpaths authorized to be stopped up and abolished by this Act, and for vesting the new Wharf and the Roads approaching thereto in the Board of Surveyors of the Parish of *Gillingham*, shall be defrayed by the Commissioners; but the Board of Surveyors of the said Parish of *Gillingham* shall not be entitled to any pecuniary or further Compensation for such Conveyance by them to the Commissioners.

6. It

Power to the Commissioners to make Embankments.

6. It shall be lawful for the Commissioners to make at any Time or Times such other Embankments or Walls in the River *Medway* and on its Shores or Banks as they may think fit, either on the Sites indicated on the said Plans and Sections or any of them, or anywhere within the Limits of Deviation marked thereon, and to purchase or acquire the Fundus or Soil of such Parts of the River *Medway*, and of any of its Creeks or Inlets, and of its Shores or Banks, as may be necessary for such Embankments or Walls, and to have or leave within the same such Parts of such Fundus or Soil, and to make such Openings, Culverts, Quays, Hards, Landing Places, and Wharves in, through, or upon all or any of such Embankments or Walls, or any of the Lands acquired or to be acquired under this Act, as the Commissioners may at any Time or Times deem necessary; and after such respective Purchases or Acquisitions the Sites of such Embankments or Walls, and the Fundus or Soil of such Parts of the River *Medway* and of its Creeks and Inlets, and of its Shores or Banks, as may be within the same, shall vest absolutely and exclusively in the Commissioners for the Purposes of this Act.

Power to Admiralty to stop up Sewers, &c.

7. It shall be lawful for the Commissioners, without any Writ being issued or other legal Proceeding being adopted, to stop up or divert or alter all Sewers, Streams, Watercourses, Drains, or Pipes, be the same for Gas or Water or other Purposes, in, under, or through or affecting any of the Lands acquired or to be acquired by them under this Act, they, at the Cost of Her Majesty, if necessary, previously making, opening, or laying down another good and sufficient Sewer, Drain, or Pipe, or a good and sufficient Course for the Stream or Watercourse, in lieu of any such diverted, altered, or stopped up, and at such convenient Distance therefrom as to the Commissioners shall seem proper and necessary; and upon such substituted Sewer, Drain, Pipe, or Course being completed or opened, or in case the same shall not be necessary, then as soon as Possession shall be taken by the Commissioners, the Site of so much of any such Sewer, Stream, Watercourse, Drain, or Pipe diverted, altered, or stopped up as lies or passes in, under, over, or across any of the Lands acquired or to be acquired under the Provisions of this Act, and all Interest therein, shall vest absolutely in the Commissioners and their Successors for ever, in manner herein-before provided with respect to Lands purchased, taken, or acquired by the Commissioners under this Act, and the new Sewer, Drain, Pipe, or Course shall vest in the same Bodies Corporate, Commissioners, Trustees, or other Persons, and for the same Estate and Interest, in whom and for which the Sewer, Drain, Pipe, or the Course of the Stream or Watercourse so diverted, altered, or stopped up was vested at the Time of the Diversion, Alteration, or Stoppage thereof by the Commissioners.

Power to survey.

8. It shall be lawful for the Commissioners, their Surveyors, Officers, Agents, Servants, and Workmen, at all reasonable Times, and causing as little Damage or Inconvenience as may be, to enter into or upon any such Lands as the Commissioners are empowered to take under this Act, and to survey and value the same,

same, without being liable to any Action or Suit in respect thereof.

Lands purchased to be liable to Land Tax.

9. All Lands purchased, taken, or acquired under the Authority of this Act which may be charged with the Land Tax shall continue liable thereto as they would have been had such Lands not been so purchased, taken, or acquired, but so nevertheless that the Commissioners shall have Power to redeem the Land Tax, under the Acts in that Behalf made, if and when they think fit.

Services of Notices, &c.

10. Any Notice, Summons, Writ, or other Document required to be served on the Commissioners for the Purposes of this Act may be served by being delivered to their Solicitor for the Time being, or by being sent to him by Post addressed to him, either at his Office or at the *Admiralty, Whitehall, London*, or by being left for him at One of those Places; and any Notice, Summons, Writ, or other Document required to be given by, from, or on behalf of the Commissioners for the Purposes of this Act shall be given under the Hand of their Solicitor for the Time being.

Power for Admiralty to withdraw Notice.

11. If in any Case, after Notice has been given by the Commissioners for the taking of any Lands under this Act, it appears to them, from a Change of Circumstances or other Reasons, unnecessary or inexpedient to complete the taking of such Lands or any Part thereof, it shall be lawful for them to give a further Notice to the Effect that they thereby withdraw the Notice for the taking of the Lands comprised in the first Notice, or such Part thereof as they may think fit, and thereupon the Lands comprised in the Notice of Withdrawal shall be wholly discharged from the Effect of the first Notice, and may be dealt with as if the first Notice had not been given, and the Commissioners shall be wholly discharged from any Obligation to take such Lands, without Prejudice nevertheless to any Claim of the Owner of such Lands for Compensation for such Damage (if any) as he may have sustained in consequence of the giving of the first Notice; provided that every such Notice of Withdrawal be given within Two Months after the giving of the first Notice; provided also, that nothing in this Enactment contained shall be construed to give to any Person receiving from the Commissioners a Notice for the taking of Lands any further or other Right as against the Commissioners than he would have had if this Enactment had not been contained in this Act.

Errors on Plan or in Book of Reference may be corrected by Justices, who shall certify the same.

12. If any Error, Omission, Mis-statement, or wrong Description shall have been made of any Lands, or of the Owners, Lessees, or Occupiers of any Lands, described on the said Plans or Sections or in the said Book of Reference deposited as aforesaid, the Commissioners, after giving Ten Days Notice to the Owners, Lessees, and Occupiers of the Lands affected by such proposed Correction, may apply to Two Justices of the Peace for the Correction thereof; and if it appear to such Justices that such Error, Omission, Mis-statement, or wrong Description arose from Mistake, they shall certify the same accordingly, and shall in such Certificate state the Particulars of any such Error, Omission, Mis-statement, or wrong Description; and such Certificate, with

with the other Documents to which it relates, shall be deposited with the Clerk of the Peace for the County of *Kent;* and such Certificate shall be kept by such Clerk of the Peace with the other Documents to which they relate, and thereupon such Plans, Sections, or Book of Reference shall be deemed to be corrected according to such Certificate, and the Commissioners may acquire the Lands mentioned in such Certificate, under or by virtue of this Act, as if such Error, Omission, Mis-statement, or wrong Description had not been made. Certificate, &c. to be deposited.

13. In lieu of a Bond, and with the same Effect as if a Bond were given, as mentioned in Sections Eighty-five and Eighty-seven of "The Lands Clauses Consolidation Act, 1845," it shall be lawful for the Commissioners to give to the Person who under the said Act would otherwise be entitled to such Bond a written Undertaking, without any Surety therein, for such Payment or Deposit as in and by the said Act is in that Behalf provided, and according to the Condition of such Bond as therein is described, so far as such Provisions and Conditions respectively shall and may be applicable to Proceedings under this Act, and the Commissioners shall not be required or be liable to be called upon to give any such Bond. Undertaking in lieu of Bond.

14. It shall be lawful for the Commissioners from Time to Time to sell, exchange, or in any Manner dispose of or to let or demise any Lands acquired by or vested in them under this Act, which at any Time shall not in the Opinion of the Commissioners be required for the Public Service, and in case of a Sale to sell the same either by Public Auction or by Private Contract, and it shall be lawful for them to convey, surrender, and assign, or to grant or demise the same or any Part thereof, to any Person who shall be willing to purchase or take the same, and for that Purpose to make and execute all such Conveyances, Assurances, Leases, and Agreements as may be thought proper, and it shall also be lawful for the Commissioners to do any other Act, Matter, or Thing in relation to Lands acquired by or vested in them under this Act which shall by them be deemed beneficial for the Public Service in relation thereto, or for the better Management thereof, and which might be done by any other Person having in such Lands the like Estate, Term, Share, or Interest as they shall have therein, and all Lands obtained by the Commissioners in Exchange shall vest in the Commissioners and their Successors in manner herein-before provided with respect to Lands purchased by the Commissioners. Power for the Admiralty to sell and let Lands.

15. The Monies to arise and to be produced by Sale or Exchange, or which may be paid by way of Premium for any Lease, of any Lands which shall be sold, let, exchanged, conveyed, or surrendered by the Commissioners under the Provisions of this Act, shall be paid by the Purchaser or Lessee thereof, or the Person making any such Exchange, to Her Majesty's Paymaster General for the Time being, whose Receipt for such Monies (endorsed on the Conveyance, Assurance, or Lease,) shall effectually discharge the Purchaser or Person by whom or on whose Account the same shall be so paid. How Purchase Money to be paid.

16. Imme-

On Payment of Money Purchasers to stand seised of Lands purchased by them.

16. Immediately from and after the Payment of any such Monies, and the Execution of any such Conveyance, Assurance, or Lease as aforesaid, by the Commissioners, the Purchaser or Lessee therein named shall be deemed to stand seised or possessed of the Lands thereby conveyed or made over or leased to him, or (as the Case may require) the Lands taken in Exchange from the Commissioners shall go to the Uses therein expressed or referred to, in every Case freed and absolutely discharged of and from all and all manner of prior Estates, Rights, Interests, Charges, Incumbrances, and Demands whatsoever which can or may be had, made, or set up in respect of the Lands so conveyed, made over, leased, or taken in Exchange by any Person whomsoever, by, from, under, or in trust for Her Majesty, Her Heirs and Successors, or on any Account whatsoever, save and except such Estates, Rights, Interest, Charges, Incumbrances, Claims, and Demands (if any) as in any such Conveyance, Assurance, or Lease shall be excepted.

Admiralty may sue and be sued, and pay and recover Costs.

17. It shall be lawful for the Commissioners to bring, prosecute, and maintain any Action of Ejectment or other Proceeding at Law or in Equity for recovering Possession of any Lands acquired by or vested in them under this Act, and to distrain or sue for any Arrears of Rent which shall become due for or in respect thereof, under any Parol or other Demise, from the Commissioners, and also to bring, prosecute, and maintain, or to defend any other Action or Suit in respect of such Lands, or of any Trespass or Encroachment committed thereon, or Damage or Injury done thereto; and in every such Action, Proceeding, or Suit by or against the Commissioners they shall be called "the Commissioners for executing the Office of Lord High Admiral of of the United Kingdom," without any of them being named, and no such Action or Suit shall abate by the Death, Resignation, or Removal of the Commissioners or any of them, and the Commissioners shall in all such Actions, Suits, and Proceedings be entitled to recover and be liable to pay Costs, as in ordinary Actions, Suits, and Proceedings between Subject and Subject.

Purchase Money, &c. how to be provided.

18. All Monies which under this Act shall be agreed to be paid by or shall be recovered against the Commissioners by way of Purchase or Compensation Money, Damages, Costs, or otherwise, shall be paid by Monies to be provided and appropriated for that Purpose by Parliament.

Act may be applied to Lands already purchased.

19. The Provisions of this Act shall, so far as the Commissioners may at any Time or Times deem expedient for effecting any of the Objects of this Act, extend and be applicable to any of the said Lands purchased or taken or agreed to be purchased or taken by them before the passing of this Act, as also to all the Lands which shall hereafter be purchased or taken by virtue of this Act.

Not to lessen Powers of Admiralty.

20. Nothing in this Act shall extend to take away, lessen, or prejudice any Powers, Rights, or Authorities which would or might have been vested in or exercised by the Commissioners if this Act had not been passed.

21. The

Protection to Commissioners.

21. The Commissioners shall not, by reason of anything done or omitted to be done under this Act, be liable, collectively or individually, to any Fine, Penalty, or Forfeiture, or to Execution of any Process against the Person or Property.

Any Two Commissioners may execute Powers.

22. All Acts, Deeds, Matters, and Things hereby authorized to be done or executed by the Commissioners, and all Powers and Authorities hereby given to or conferred upon the Commissioners, may be done, executed, and exercised by any Two of them, and when so done, executed, or exercised the same shall be as valid and effectual as if the same were and had been done, executed, or exercised by all the Commissioners, and all Privileges hereby given to the Commissioners shall be enjoyed and may be exercised by any Two of them.

Lord High Admiral to have the same Powers as Commissioners.

23. If it shall please Her Majesty, Her Heirs and Successors, to appoint a Lord High Admiral of the United Kingdom, then and so long and as often as there shall be a Lord High Admiral of the United Kingdom all the Powers, Privileges, and Exemptions vested in or given to and all the Lands vested in the Commissioners under or by virtue of this Act shall be and become vested in the Lord High Admiral of the United Kingdom for the Time being, and all such Lands shall vest in him according to the Nature and Quality thereof respectively, and to the Estate, Term, Share, or Interest acquired therein respectively by him or the Commissioners, in trust for Her Majesty, Her Heirs and Successors, for the Public Service, and in any Action or Suit respecting any such Lands the Lord High Admiral shall be called "the Lord High Admiral of the United Kingdom," without being named, and no such Action or Suit shall abate by the Death, Resignation, or Removal of any Lord High Admiral; and in the Construction of the said incorporated Provisions in connexion with this Act the Lord High Admiral for the Time being shall be deemed to be himself solely the "Promoters of the Undertaking," and he shall have the sole Authority for carrying this Act into effect, and generally in all respects, as far as may be, the Lord High Admiral for the Time being shall come in Place of the Commissioners for the Purposes of this Act.

Saving Rights of the Crown.

24. Nothing herein contained shall extend or be construed to extend to take away, lessen, prejudice, alter, damage, or affect any Estate, Right, Title, or Interest of the Queen's most Excellent Majesty of, in, or to the Bed, Soil, Banks, and Shores of the River *Medway*, and of, in, or to all or any Arms, Creeks, Streams, and Indraughts thereof, or otherwise, or of, in, or to any Tolls, Dues, Duties, Rents, Issues, Franchises, Profits, Powers, or Authorities, Customs, Immunities, Rights, or Privileges, belonging to the Queen's Majesty, other than and except as regards such Portions of the Bed, Soil, Banks, and Shores of the said River, Arms, Creeks, Streams, and Indraughts, and such Rights and Privileges, which the Commissioners are authorized to purchase or acquire under the Provisions of this Act.

Saving Rights of Corporation of Rochester.

25. Nothing herein contained shall extend or be construed to extend to take away, lessen, prejudice, alter, damage, or affect any Estate, Right, Title, or Interest of the Mayor, Aldermen, and

and Citizens of the City of *Rochester* of, in, or to the Bed, Soil, Banks, and Shores of the River *Medway*, and of, in, or to all or any Arms, Creeks, Streams, and Indraughts thereof, or otherwise, or of, in, or to any Tolls, Dues, Duties, Rents, Issues, Franchises, Profits, Powers, or Authorities, Customs, Immunities, Rights, or Privileges, of or belonging to or claimed by the said Mayor, Aldermen, and Citizens of the said City of *Rochester*, other than and except as regards such Portions of the Bed, Soil, Banks, and Shores of the said River, Arms, Creeks, Streams, and Indraughts, and such Rights and Privileges, which the Commissioners are authorized to purchase or acquire under the Provisions of this Act.

Saving Rights of the Corporation of London.

26. Nothing herein contained shall extend to prejudice or derogate from the Estates, Rights, Interests, Privileges, Franchises, or Authority of the Mayor and Commonalty and Citizens of the City of *London* or their Successors, or of the Lord Mayor of the said City for the Time being, or to prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which, at the Time of making this Act, the Mayor and Commonalty and Citizens of the City of *London*, or the Lord Mayor of the said City for the Time being, as Conservators of the River *Medway*, did or might lawfully claim, use, or exercise, save and except so far as the Execution of the Works hereby authorized may prejudice or derogate from any such Estates, Rights, Interests, Privileges, Franchises, or Authority, or defeat, alter, or diminish any such Power, Authority, or Jurisdiction.

As to compulsory Purchases.

27. The compulsory Powers hereby given for effecting Purchases of and taking Lands shall not be exercised after the Expiration of Five Years from the passing of this Act.

Short Title.

28. This Act may be cited as "The *Chatham* Dockyard Act, 1861."

CAP. XLII.

An Act to continue the Duties levied on Coal and Wine by the Corporation of *London*. [22d *July* 1861.]

'WHEREAS by an Act passed in the Session holden in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, Chapter Ten, intituled *An Act for the Relief of the Orphans and other Creditors of the City of* London, it was enacted, amongst other things, that towards raising a Fund as therein mentioned a Duty of Four Shillings *per* Tun should be imposed upon all Sorts of Wines whatsoever which, from and after the Fourth Day of *June* One thousand six hundred and ninety-four, should be imported into the Port of the City of *London* or the Members thereof, by way of Merchandise, over and above the then present Duties charged or chargeable thereupon, and so proportionably for a greater or lesser Quantity, which said Duty should from Time to Time for ever be paid by the Importer thereof unto the Mayor, Commonalty, and Citizens of the City of *London*, herein-after called "the Corporation of *London*:" And whereas by the Acts herein-after mentioned,

'mentioned, and herein-after referred to as the Coal Duties Acts;
'(that is to say,)

'1. An Act passed in the Session of Parliament holden in the First and Second Years of the Reign of His late Majesty King *William* the Fourth, Chapter Seventy-six, intituled *An Act for regulating the Vend and Delivery of Coals in the Cities of* London *and* Westminster, *and in certain Parts of the Counties of* Middlesex, Surrey, Kent, Essex, Hertfordshire, Buckinghamshire, *and* Berkshire: 1 & 2 W. 4. c. 76.

'2. An Act passed in the Session of Parliament holden in the First and Second Years of the Reign of Her present Majesty, Chapter One hundred and one, intituled *An Act to continue for Seven Years an Act for regulating the Vend and Delivery of Coals in* London *and* Westminster, *and in certain Parts of the adjacent Counties:* 1 & 2 Vict. c. 101.

'3. An Act passed in the Session of Parliament holden in the Session of the Eighth and Ninth Years of the Reign of Her said Majesty, intituled *An Act to continue until the Fifth Day of July One thousand eight hundred and sixty-two the Acts for regulating the Vend and Delivery of Coals in* London *and* Westminster, *and in certain Parts of the adjacent Counties; and to alter and amend the said Acts:* 8 & 9 Vict. c. 101.

'4. An Act passed in the Session of Parliament holden in the Fourteenth and Fifteenth Years of the Reign of Her said Majesty, intituled *An Act to amend the Acts relating to the Vend and Delivery of Coals in* London *and* Westminster, *and in certain Parts of the adjacent Counties; and to allow a Drawback on Coals conveyed beyond certain Limits:* and which Acts are herein-after referred to as the Coal Duties Acts, 14 & 15 Vict. c. 146.

'or some or One of such Acts, Two several Duties of One 'Penny and Twelvepence *per* Ton are authorized to be levied 'by the Corporation of *London* upon all Coals, Culm, and Cinders 'brought to any Place within the Port of *London*, or within 'the Cities of *London* and *Westminster* and the Borough of '*Southwark*, or to any Place within the Distance of Twenty 'Miles from the General Post Office in the City of *London*, by 'any Railway already constructed or hereafter to be constructed, 'or by Inland Navigation, or by any other Means of Conveyance: 'And whereas it is apprehended that the Duty of Eightpence, 'Part of the said Duty of Twelvepence, will expire in the Year 'One thousand eight hundred and sixty-one, and the said Duty 'of One Penny in the Month of *July* One thousand eight hundred 'and sixty-two, unless Provision be made by Parliament for the 'Continuance of such Duties: And whereas it is expedient that 'the said Duties of Four Shillings on Wines and Twelvepence 'and One Penny on Coals, Culm, and Cinders should be con-'tinued for a Period of Ten Years:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present

present Parliament assembled, and by the Authority of the same, as follows:

Continuance of Wine Duties.

1. The above-mentioned Duty of Four Shillings a Tun on Wines shall continue and be levied in all respects in the same Manner as the same is now leviable until the Fifth Day of *July* One thousand eight hundred and seventy-two.

Continuance of Coal Duties.

2. All Duties authorized by the Coal Duties Acts or any of them to be levied upon Coal, Culm, and Cinders shall continue and be levied in the same Manner in which the same are now leviable until the Fifth Day of *July* One thousand eight hundred and seventy-two, subject to the following Qualification; that, notwithstanding anything contained in the said Acts, no Duties shall be payable in respect of any Coal, Culm, or Cinders unless the same is contained in some Ship or Vessel arriving at her Moorings within some Part of the Port of *London* to the Westward of *Gravesend*, within the Limits of the Metropolitan Police District as defined by Act of Parliament, or be brought by Railway or by Inland Navigation, or by some other Mode of Conveyance within the said Limits of the Metropolitan Police District, including the Cities of *London* and *Westminster*.

Metropolitan Police District substituted for London District.

3. After the passing of this Act the Expression "*London* District" used in the said recited Act of the Fourteenth and Fifteenth *Victoria*, Chapter One hundred and forty-six, shall no longer have the Meaning assigned to it by that Act, but shall mean so much of the several Counties of *Middlesex*, *Surrey*, *Kent*, *Herts*, *Essex*, *Bucks*, and *Berks* as shall be situate within the Metropolitan Police District, and shall include the Cities of *London* and *Westminster*.

Commencement of Metropolitan Police District to be marked in Canals, Railways, and Roads.

4. All the Directions, Powers, and Provisions in the said recited Act of the Fourteenth and Fifteenth *Victoria*, Chapter One hundred and forty-six, with respect to Returns, Certificates, and Accounts, and to the Erection of Boxes and Stations and Boundary Stones or Permanent Marks on the Point of any Canal, Inland Navigation, or Railway, or any Turnpike or Public Road which shall be distant Twenty Miles from the General Post Office, and all other Matters and Things relating thereto, shall apply to Returns, Certificates, and Accounts, and to the Erection of Boxes and Stations and Boundary Stones or Permanent Marks on the Point where any Canal, Inland Navigation, or Railway, or any Turnpike or Public Road, first enters or comes within the Metropolitan Police District.

Application of Duties.

5. The Duty of One Penny *per* Ton on Coals, Culm, and Cinders shall from and after the passing of this Act, and the said Duty of Four Shillings *per* Tun on Wines, and the Duty of Eightpence, Part of the said Duty of Twelvepence, on Coals, Culm, and Cinders, shall, from and after such Time as all Charges on the *London Bridge* Approaches Fund may be satisfied, be paid to an Account to be opened in the Name of the Lords Commissioners of Her Majesty's Treasury at the Bank of *England*, to be intituled "The *Thames* Embankment and Metropolis Improvement Fund," and such Fund shall be applied to the Improvement of

of the Metropolis in such Manner as may hereafter be determined by Parliament.

Application of the Duty of 4*d.* to the Payment of the Interest and Principal of Sums charged thereupon for Improvements.

6. That the Nett Proceeds of the Duty of Fourpence, Part of the said Duty of Twelvepence, on Coal, Culm, and Cinders, shall, from the Date of the passing of this Act, and during the Continuance thereof, be applied by the Mayor, Commonalty, and Citizens of the City of *London*, in the first instance, in Payment of the Interest and in Discharge of the Principal of the following Sums raised by the said Mayor, Commonalty, and Citizens of the City of *London*, and charged by them upon the said Duty; viz., the Sums Three hundred thousand Pounds, Two hundred thousand Pounds, and Forty thousand Pounds, raised for making and improving *Cannon Street* in the City of *London*, and for effecting other Improvements in the said City, as authorized by the Acts of Parliament of the Tenth and Eleventh *Victoria*, Chapter Two hundred and eighty, Thirteenth and Fourteenth *Victoria*, Chapter Fifty-six, and the Fifteenth and Sixteenth *Victoria*, Chapter Seventy-two, and that an Account of the Receipt and Application of the said Duty be kept separate and distinct from the Accounts of the said Mayor, Commonalty, and Citizens, and that an Abstract of the said Account be annually laid by the Chamberlain of the said City before both Houses of Parliament, and that after discharging the said Sums and Interest the said Duty of Fourpence shall be applied by the said Corporation of *London* towards or in aid of such a public Improvement or Improvements in or adjacent to the City of *London* as Parliament shall hereafter sanction.

Drawback upon Coals to continue to be allowed.

7. There shall be allowed with respect to Coals brought within the Port of *London* or within the Metropolitan Police District, and afterwards conveyed to any Place beyond the Port of *London* or the Metropolitan Police District, a Drawback of the same Amount and upon the same Conditions as is allowed by the said recited Act of the Fourteenth and Fifteenth Years of the Reign of Her present Majesty, Chapter One hundred and forty-six, and the Coal Duties, *London*, &c., Drawback Act, 1857, or One of such Acts, in respect of the Coals therein mentioned, and the Lord Mayor, Aldermen, and Commons of the City of *London* in Common Council assembled shall have Power, with the Consent of the Board of Trade, to alter, vary, or dispense with any of the Forms in relation to the Drawback upon Coals contained in the said recited Act of the Fourteenth and Fifteenth Years of the Reign of Her present Majesty, Chapter One hundred and forty-six.

Duty to form accumulating Fund for Improvements till appropriated by Parliament.

8. The Monies from Time to Time paid to the Account created by this Act shall, when received, be laid out and invested in the Purchase of Stock in some of the Public Stocks or Funds, or upon Government or Real Securities, at Interest, in the Name of the said Commissioners, and the said Commissioners shall from Time to Time lay out or invest the yearly Dividends or Interest of the Stocks, Funds, and Securities so to be purchased in their Names on the Account aforesaid, in like Manner, for the Purpose of Accumulation in the mean-

time, until the said Fund is appropriated by Parliament to the Execution of Improvements in the Metropolis.

Consolidation of Improvement Funds.

9. All Monies, Stocks, Funds, and Securities standing to the Account of the Metropolis Improvement Fund Account created by the Act of the Session of the Eighth and Ninth Years of the Reign of Her present Majesty Queen *Victoria*, Chapter One hundred and one, shall from and after the passing of this Act, and all Monies, Stocks, Funds, and Securities standing to the Account of the *London Bridge* Approaches Fund shall, from and after such Time as all Charges on the said Funds may be satisfied, be carried to and form Part of the *Thames* Embankment and Metropolis Improvement Fund created by this Act, and the said *London Bridge* Approaches Fund shall thereupon cease and determine.

Continuance of above-mentioned Acts, except as altered.

10. Subject to the Provisions of this Act, the said Act of the Session of the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, Chapter Ten, so far as relates to the levying of the said Wine Duties and the said Coal Duties Acts and all Matters therein contained, shall be continued until the Fifth Day of *July* One thousand eight hundred and seventy-two; and all the Provisions contained in the said Act of the Session of the First and Second Years of King *William* the Fourth, Chapter Seventy-six, to take effect at the End of Seven Years, therein mentioned, shall take effect as if the Fifth Day of *July* One thousand eight hundred and seventy-two had been inserted in the said last-mentioned Act instead of the said Term of Seven Years.

Short Title.

11. This Act may be cited for all Purposes as "The *London* Coal and Wine Duties Continuance Act, 1861."

CAP. XLIII.

An Act to facilitate the Remedies on Bills of Exchange and Promissory Notes in *Ireland* by the Prevention of frivolous or fictitious Defences to Actions thereon.

[22d *July* 1861.]

'WHEREAS *bonâ fide* Holders of dishonored Bills of Exchange and Promissory Notes are often unjustly delayed and put to unnecessary Expense in recovering the Amount thereof by reason of frivolous or fictitious Defences to Actions thereon, and it is expedient that greater Facilities than now exist should be given for the Recovery of Money due on such Bills and Notes:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

From and after 21st Oct. 1861 all Actions upon Bills of Exchange, &c.

1. From and after the Twenty-first Day of *October* One thousand eight hundred and sixty-one, all Actions upon Bills of Exchange or Promissory Notes commenced within Six Months after the same shall have become due and payable, may, in case the Plaintiff shall desire to proceed under this Act, be commenced

menced as herein-after mentioned; that is to say, the Summons and Plaint shall be in the Form prescribed by the Common Law Procedure Amendment Act (*Ireland*), 1853; but, in addition thereto, and to any Particulars or Indorsements required by the said Act, such Summons and Plaint shall have at the Head thereof a Notice in the Form contained in the Schedule (A.) to this Act annexed; and in any Case in which the Summons and Plaint shall be in such Form it shall not be lawful for the Defendant to file any Appearance or Defence to the said Action unless he shall obtain Leave from a Judge, as herein-after mentioned, so to appear and defend; and in default of his obtaining such Leave, or of Appearance and Defence in pursuance thereof, the Plaintiff shall be entitled to mark Judgment with Costs, in pursuance of the Provisions of the Common Law Procedure Amendment Act (*Ireland*), 1853, for any Sum not exceeding the Sum mentioned in the Notice at the Commencement of the Summons and Plaint.

may, if Plaintiff desires to proceed under this Act, be in the Form prescribed by 16 & 17 Vict. c. 113., &c.

2. A Judge of any of the Superior Courts of Common Law in *Ireland* may, upon Application made within the Period of Twelve Days from such Service, or at any Time before Judgment marked, give Leave to appear and defend such Action on the Defendant paying into Court the Sum claimed by the Summons and Plaint, or upon Affidavits satisfactory to the Judge, which disclose a legal or equitable Defence, or such Facts as would make it incumbent on the Holder to prove Consideration or such other Facts as the Judge may deem sufficient to support the Application, and on such Terms as to Security, or otherwise, as to the Judge may seem fit.

Defendant showing a Defence upon the Merits, to have Leave to appear.

3. After Judgment the Court or a Judge may, under special Circumstances, set aside the Judgment, and, if necessary, stay or set aside Execution, and may give Leave to appear and defend the Action, if it shall appear to be reasonable to the Court or Judge to do so, and on such Terms as to the Court or Judge may seem just.

Judge may set aside Judgment.

4. In any Proceedings under this Act it shall be competent to the Court or a Judge to order the Bill or Note sought to be proceeded upon to be forthwith deposited with an Officer of the Court, and further to order that all Proceedings shall be stayed until the Plaintiff shall have given Security for the Costs thereof.

Judge may order Bill to be deposited, &c.

5. The Holder of every dishonored Bill of Exchange or Promissory Note shall have the same Remedies for the Recovery of the Expenses incurred in noting the same for Nonacceptance or Nonpayment or otherwise, by reason of such Dishonor, as he has under this Act for the Recovery of the Amount of such Bill or Note.

As to Recovery of Expenses of noting dishonored Bill.

6. The Provisions of the "Common Law Procedure Amendment Act (*Ireland*), 1853," and the "Common Law Procedure Amendment Act (*Ireland*) 1856," and all Rules made under or by virtue of either of the said Acts, shall, so far as the same are or may be made applicable, extend and apply to all Proceedings to be had or taken under this Act.

Common Law Procedure Acts and Rules incorporated.

7. The

Judges to frame Rules.

7. The Judges of the Superior Courts of Common Law in *Ireland* shall have Power to frame all Rules and Process necessary thereto.

Extent of Act.

8. This Act shall apply to *Ireland* only.

Short Title.

9. In citing this Act in any Instrument, Document, or Proceeding, it shall be sufficient to use the Expression "The "Summary Procedure on Bills of Exchange (*Ireland*) Act, "1861."

SCHEDULE referred to in the foregoing Act.

A.

The following Notice is to be printed at the Commencement of the Summons and Plaint, and before the Name and Title of Her Majesty.

The Defendant [*Richard Roe*] is hereby warned and required to take notice,

That this Action being brought on the under-mentioned Bill of Exchange [*or* Promissory Note] is brought under the "Summary Procedure on Bills of Exchange (Ireland) Act, 1861;" and that unless within Twelve Days from the Service hereof he shall obtain Leave from One of the Judges of the Superior Courts of Law in Dublin to appear and defend the Action, and shall within that Time file his Appearance and Defence, the Plaintiff [*John James*] will be entitled, without any further Notice whatever, to issue Execution against him for the Sum of Pounds [*here state the Sum claimed*], and the Costs of this Action.

Leave to appear may be obtained on an Application to any of the Judges, supported by Affidavit, showing that there is a Defence to the Action on the Merits, or that it is reasonable that the Defendant should be allowed to appear and defend the Action, or by lodging the Amount claimed in Court.

CAP. XLIV.

An Act to remove Doubts respecting the Authority of the Legislature of *Queensland*, and to annex certain Territories to the Colony of *South Australia*, and for other Purposes. [22d *July* 1861.]

5 & 6 Vict. c. 76.

'WHEREAS by an Act passed in the Session of Parliament holden in the Fifth and Sixth Years of Her Majesty, intituled *An Act for the Government of* New South Wales *and* Van Diemen's Land, it was enacted that it should be lawful for Her Majesty, by Letters Patent to be from Time to Time issued under the Great Seal of the United Kingdom of *Great Britain* and *Ireland*, to define, as to Her Majesty should seem fit, the Limits of the Colony of *New South Wales*, and to erect into a separate Colony or Colonies any Territories which then were or were reputed to be or thereafter might be comprised within the said Colony of *New South Wales*; provided always, that no

'Part

'Part of the Territories lying Southward of the Twenty-sixth 'Degree of South Latitude in the said Colony should by any 'such Letters Patent be detached from the said Colony: And 'whereas by a Bill passed by the Legislative Council of *New 'South Wales*, in the Seventeenth Year of Her Majesty, 'intituled *An Act to confer a Constitution upon* New South 'Wales, *and to grant a Civil List to Her Majesty*, which said 'Act was, with certain Amendments, assented to by Her Ma-'jesty in Council under Authority of an Act of Parliament 'passed in the Session holden in the Eighteenth and Nine-'teenth Year of Her said Majesty, intituled *An Act to enable* 18 & 19 Vict. 'Her Majesty to assent to a Bill as amended of the Legislature* c. 54., Sche-'of* New South Wales *to confer a Constitution upon* New South dule 1. s. 46. 'Wales, *and to grant a Civil List to Her Majesty*, it was pro-'vided that nothing in the said Bill contained should be deemed 'to prevent Her Majesty from altering the Boundary of *New 'South Wales* on the North in such Manner as to Her Majesty 'might seem fit, nor from detaching from the said Colony that 'Portion of the same which lies between the Western Boundary 'of *South Australia* and the One hundred and twenty-ninth 'Degree of East Longitude, reckoning from the Meridian of '*Greenwich*: And whereas by the last-recited Act of Parlia-'ment Provision was made respecting the Exercise by Her Ma-'jesty of the Power given Her by the said Bill of altering the 'Northern Boundary of *New South Wales* and it was declared 'that it should be lawful for Her Majesty, by Letters Patent 'to be from Time to Time issued under the Great Seal of the 'United Kingdom of *Great Britain* and *Ireland*, to erect into 'a separate Colony or Colonies any Territories which might be 'separated from *New South Wales* by such Alteration as afore-'said of the Northern Boundary thereof, and in and by such 'Letters Patent or by Order in Council to make Provision for 'the Government of any such Colony, and for the Establishment 'of a Legislature therein in manner as nearly resembling the 'Form of Government and Legislature which should be at such 'Time established in *New South Wales* as the Circumstances 'of such Colony would allow, and that full Power should be 'given in and by such Letters Patent or Order in Council to the 'Legislature of the said Colony to make further Provision in that 'Behalf: And whereas in virtue of the Powers herein-before set 'forth Her Majesty did, by certain Letters Patent bearing Date 'the Sixth Day of *June* in the Year One thousand eight hundred 'and fifty-nine, separate certain Territories therein mentioned 'from the Colony of *New South Wales*, and did erect the said 'Territories into a separate Colony under the Name of *Queens-'land*, and did also, by a certain Order in Council, also bearing 'Date the said Sixth Day of *June* One thousand eight hundred 'and fifty-nine, make Provision for the Government of the said 'Colony of *Queensland*, and for the Establishment of a Legis-'lature therein, but the Form of Government and Legislature so 'established did not in all respects resemble the Form of Govern-'ment and Legislature at that Time established in *New South*

'*Wales:* And whereas Doubts are entertained whether the 'Powers intended to be conferred upon the said Government and 'Legislature by the said Order in Council, and the Acts done by 'them, may not be invalid by reason of such Want of Resem- 'blance as aforesaid: And whereas Doubts are also entertained 'whether it is competent to Her Majesty by Letters Patent to 'annex to any existing Colony any Part of *New South Wales* 'which may be detached therefrom, or to detach from *New South* '*Wales* that Portion thereof which lies between the Western 'Boundary of *South Australia* and the One hundred and 'twenty-ninth Degree of East Longitude: And whereas it is 'expedient to set at rest all such Doubts as aforesaid, and also 'to detach from *New South Wales* the last-mentioned Portion 'thereof, and to annex the same to *South Australia:*' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Certain Territories detached from New South Wales and annexed to South Australia.

1. So much of the Colony of *New South Wales*, being to the South of the Twenty-sixth Degree of South Latitude, as lies between the Western Boundary of *South Australia* and the One hundred and twenty-ninth Degree of East Longitude, shall be and the same is hereby detached from the Colony of *New South Wales* and annexed to the Colony of *South Australia*, and shall for all Purposes whatever be deemed to be Part of the said last-mentioned Colony from the Day on which this Act of Parliament shall be proclaimed therein.

Power to annex to existing Colonies Territories now Part of New South Wales.

2. It shall be lawful for Her Majesty by such Letters Patent as aforesaid to annex to any Colony which is now or may hereafter be established on the Continent of *Australia* any Territories which, in exercise of the Powers herein-before mentioned, might have been erected into a separate Colony: Provided always, that it shall be lawful for Her Majesty in such Letters Patent to reserve such Powers of revoking or altering the same as to Her Majesty shall seem fit, or to declare the Period during which such Letters Patent shall remain in force; and also on the Revocation or other Determination of such Letters Patent again to exercise, in respect of the Territories referred to therein or any Part thereof, all such Powers and Authority as might have been exercised if the said Letters Patent had never been made.

Provisions of Letters Patent of 6th June 1859, &c. valid.

3. All the Provisions made in the afore-mentioned Letters Patent and Order in Council of the said Sixth Day of *June* One thousand eight hundred and fifty-nine, for establishing the Colony of *Queensland*, and for the Government of the said Colony, and for the Establishment of a Legislature therein, shall be and be deemed to have been valid and effectual for all Purposes whatever, and all Acts and Proceedings of the said Government and Legislature shall be and be deemed to have been from the Date of the said Order in Council of the same Force and Effect as if the last-mentioned Order in Council had been in all respects valid and free from Doubt,

4. 'And

18 & 19 Vict. c. 54. s. 7. repealed.

4. 'And whereas in the event of any Territories being here-
'after separated from *New South Wales* and erected into a
'separate Colony, it may not be expedient that the Form of the
'Government and Legislature to be established in the said Colony
'should depend upon the Form of Government and Legislature
'which may, at the Time of such Separation, be established in
'*New South Wales*:' Be it enacted as follows:

So much of the secondly herein recited Act of Parliament as requires that the Government and Legislature of any Colony so erected as aforesaid shall, as nearly as the Circumstances of the said Colony shall allow, resemble the Form of Government and Legislature which shall be at such Time established in *New South Wales*, shall be and the same is hereby repealed.

Provision for determining Boundaries.

5. 'Whereas the Boundaries of certain of Her Majesty's
'Colonies on the Continent of *Australia* may be found to have
'been imperfectly or inconveniently defined, and it may be ex-
'pedient, from Time to Time, to determine or alter such Boun-
'daries:' Be it therefore further enacted, as follows:

It shall be lawful from Time to Time for the Governors of any contiguous Colonies on the said Continent, with the Advice of their respective Executive Councils, by any Instrument under their joint Hands and Seals, to determine or alter the common Boundary of such Colonies; and the Boundary described in any such Instrument shall be deemed to be, within the Limits there laid down, the true Boundary of said Colonies, so soon as Her Majesty's Approval of such Instrument shall have been proclaimed in either of such Colonies by the Governor thereof.

Providing Mode of apportioning Public Debt in the event of any Territory being separated from any Australian Colony.

6. In the event of any Territory being hereafter separated from any *Australian* Colony, and either erected into a separate Colony or annexed to any other Colony, if the Governor of the Colony to which such Territory belonged before Separation, or the Governor of the Colony to which it shall belong or which it may constitute after Separation, shall represent to One of Her Majesty's Principal Secretaries of State that a Question has arisen between the Governments of the Two Colonies as to the Proportions in which the Public Debt of the Colony from which such Territory has been separated should be borne by the Two Colonies respectively after Separation, or as to the Division of the Public Monies in the Treasury of such first-mentioned Colony at the Time of Separation, it shall be lawful for Her Majesty, through One of Her Principal Secretaries of State, to require the Governors of the Two Colonies, with the Advice of their respective Executive Councils, each to appoint a Commissioner, and it shall be lawful for Her Majesty to appoint a Third Commissioner, not being a Resident in or employed in the Public Service of either Colony, and to fix the Time and Place of the First Meeting of the Commissioners, and such Commissioners shall determine the Proportion in which such Monies or Debt shall be divided between the Two Colonies; and the Award of such Commissioners, or of any Two of them, when confirmed by Her Majesty in Council, shall be final and conclusive against both Colonies: Provided always, that nothing herein contained, and no Award as aforesaid,

aforesaid, shall in any way prejudice or affect the Security of any Debentures which may have been issued before the Separation of any Territory by the Government of the Colony from which such Territory may be separated, or the absolute Right and Claim of the Holders thereof to demand and receive Payment of the Amounts thereby respectively purporting to be secured, as well out of the Revenues of the Colony from which such Territory has been separated as out of the Revenues of the Colony to which such Territory shall belong or which it may constitute.

CAP. XLV.

An Act to facilitate the Formation, Management, and Maintenance of Piers and Harbours in *Great Britain* and *Ireland*. [1st *August* 1861.]

'WHEREAS it is expedient to encourage and facilitate the 'Formation, Management, and Maintenance of Piers and 'Harbours in *Great Britain* and *Ireland:* And whereas in 'certain Cases where it is now necessary to apply to Parliament 'for special Local Acts the Expense of obtaining such Special 'Acts serves to prevent many necessary Works being under-'taken:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

Short Title.

1. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Words and Figures "The General Pier and Harbour Act, 1861."

Interpretation of Terms.

2. The following Words and Expressions in this Act shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; that is to say,

The Expression "the Lords of the Admiralty" shall mean the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral:

The Expression "Board of Trade" shall mean the Lords of the Committee of Her Majesty's Privy Council for Trade and Plantations:

The Expression "Person or Persons" shall include Companies, Corporations, Commissioners, Trustees, Undertakers, Conservators, or Individuals:

The Word "Promoters" shall apply to and include any Person or Persons who shall make Application for a Provisional Order under this Act:

The Word "Works" shall include any Pier, Harbour, Quay, Wharf, Jetty, or Excavation, whether complete or incomplete, on or near the Shore of the Sea, or of any Creek, Bay, Arm of the Sea, or navigable River communicating therewith:

The

The several Words and Expressions contained in the Clauses of any Acts incorporated with this Act shall have the Meanings assigned to them by such Act or Acts, except in Cases in which other Meanings are expressly assigned to them by this Act.

Persons may apply to Board of Trade to grant Provisional Orders.

3. Persons desirous of obtaining Authority to construct any Works under this Act, or to levy Rates at any existing or at any new Works, may make Application by Memorial to the Board of Trade to grant Provisional Orders as herein-after mentioned: Provided always, that this Act shall not apply in any Case where the estimated Expenditure upon any proposed Works shall exceed the Sum of One hundred thousand Pounds.

Subscribers to Memorial to be Promoters.

4. The Persons whose Names shall be subscribed to such Memorial shall be deemed to be the Promoters; and it shall be lawful for the Board of Trade to require and take Security from the Promoters for the Payment of all Costs, Charges, and Expenses necessarily incurred by the said Board of Trade in relation to any such Provisional Order, and such Costs shall be a Debt due to Her Majesty from the Promoters, and be recoverable by Action in any Court of Law of competent Jurisdiction.

Promoters to deposit Copies of Memorial and Plans at the Office of the Clerk of the Peace.

5. In case the Promoters shall be desirous of executing any Works under this Act, they shall in the Months of *October* and *November* deposit Copies of the Memorial they may have submitted to the Board of Trade in relation thereto, and of the Plans, Sections, Working Drawings of the Harbour and of any proposed Works, at the Office of the Clerk of the Peace of any County, Riding, or Division in *England* or *Ireland*, or in the Office of the Principal Sheriff Clerk of any County, District, or Division of any County in *Scotland*, in which the proposed Works are to be executed, there to remain open for public Inspection, and all Persons shall at all seasonable Hours of the Day be at liberty to inspect and to make Copies or Extracts therefrom; and the Deposit of such Copies and Advertisement of such Deposit shall be certified in such Manner as may be required by the Board of Trade; and Notice of the Deposit of a Copy of such Memorial, and of the Plans, Sections, and Working Drawings of the proposed Works as aforesaid, shall be published once in each of Two consecutive Weeks in some Newspaper circulated within the County wherein such Works are proposed to be undertaken, and once in the *London*, *Edinburgh*, or *Dublin* Gazette.

Notice of Deposit to be given by Advertisement.

Promoters to deposit Plans with the Admiralty.

6. The Promoters shall deposit at the Admiralty Office, *Whitehall*, a Copy of such Memorial, and Plans and Sections and Working Drawings of the Harbour and the proposed Works connected therewith, and shall make Application to the Admiralty to sanction such Works, and thereupon the Admiralty, so soon as may be, shall give or withhold their Sanction to the proposed Works, or shall indicate what Alterations, if any, shall be made in the proposed Works.

Application of 14 & 15 Vict. c. 49. to this Act.

7. The Preliminary Inquiries Act, 1851, shall apply, *mutatis mutandis*, in respect of any Application for such Approval, as if the same were an Application to Parliament for such a Bill as is in that Act mentioned.

8. Not-

Power to Admiralty to remove Works not approved by them.

8. Notwithstanding anything in this Act contained, the proposed Works shall only be undertaken and executed upon such Conditions and according to such Plans as shall be previously approved by the Lords of the Admiralty as aforesaid; and if any Works shall at any Time be commenced or completed contrary to the Provisions of this Act, it shall be lawful for the Lords of the Admiralty to abate and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of any Commissioners or other Person or Persons that may for the Time being have the Management of any such Works, and the Amount thereof shall be a Debt due to the Crown, and be recoverable accordingly.

Levying of Rates.

Regulations as to levying of Rates upon Application to Board of Trade.

9. In case the Promoters or any Persons being the Owners or Proprietors of any Works, or any Persons having the Management of or Powers to construct any such Works under any Local Act of Parliament, or any Town Council of any Seaport Town not having any constituted Harbour Trust, shall be desirous of levying any Rates for the Maintenance of such Works, or of altering the Schedule of Rates then leviable thereat, they shall prepare,—

Publication of Schedule.

(1.) A Schedule of such Rates which they may think reasonable and proper to be levied at such Works, and shall publish such Schedule once at the least in each of Two consecutive Weeks in the Months of *October* and *November* in some Newspaper circulated within the District or some Part of the District in which such Works are or may be proposed to be constructed:

Deposit of Schedule with Clerks of the Peace.

(2.) And shall also deposit a printed Copy of such Schedule at the Office of the Clerk of the Peace of any County, Riding, or Division in *England* or *Ireland*, or in *Scotland* in the Office of the Sheriff Clerk and Clerk of the Peace of the County where such Works are or may be proposed to be constructed:

Deposit of Schedule with Board of Trade.

(3.) And shall also transmit a Copy of such Schedule to the Board of Trade, and therewith a Statement showing the State of any existing Works, and the Rates then leviable thereat, the average Revenue derived at such Works for the Three Years preceding the Date of the First of such Advertisements as aforesaid, and the probable or estimated Amount of the Rates proposed to be levied under such Schedule at any existing Works, or at any new Works proposed to be constructed; and also the estimated Amount of Money, if any, proposed to be expended upon any existing or upon any new Works:

Shipowners, Traders, &c., may forward Objections to Board of Trade.

(4.) And it shall be competent to any Shipowner or Trader within the Limits of such Port, Harbour, or Place, or to any registered Elector or Landowner in the County in which such Works may be situate, or in which it is proposed to construct any new Works, to forward any Objections to such Schedule in Writing to the Board of Trade

Trade within Fourteen Days after the last Insertion of such Schedule in any Newspaper as aforesaid:

Board of Trade to adjust Schedule, and may empower Promoters to levy Rates.

(5.) The Board of Trade, after the said Fourteen Days shall have elapsed, and after the Receipt of such Schedule and Statement, shall, as soon as conveniently may be, take the same into consideration, and make such Inquiries and obtain such further Information in reference to the several Matters therein set forth, and to the Objections, if any, that may have been forwarded as aforesaid, as they may deem expedient, and shall finally adjust and fix a Schedule of Rates not exceeding the Rates specified in the Schedule to "The Burgh Harbours (*Scotland*) Act, 1853," and thereupon the Board of Trade may by Provisional Order empower any of the Persons in this Section mentioned, or their Assigns, to levy and recover Rates according to such Schedule, and to borrow Money on the Security of such Rates, upon such Terms and Conditions and under such Regulations as may be deemed expedient.

Consent of Commissioners of Woods, &c. to be obtained.

10. No Provisional Order, except such as relate to the levying and Recovery of Rates only, shall be made under this Act without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues being first had and obtained.

Saving Rights of the Crown.

11. Nothing in this Act contained shall extend to abrogate or prejudice any Estate, Right, Title, Interest, Prerogative, Royalty, Jurisdiction, or Authority of or appertaining to the Queen's most Excellent Majesty, Her Heirs or Successors, in right of Her Crown, or of Her Duchy or County Palatine of *Lancaster*.

Saving Rights of the Duchy of Cornwall.

12. Nothing contained in this Act, or in the Acts incorporated herewith, shall extend to take away, diminish, alter, prejudice, or affect any Property, Rights, Profits, Privileges, Powers, or Authorities for the Time being vested in or enjoyed by Her Majesty, Her Heirs or Successors, in right of the Duchy of *Cornwall*, or in or by the Duke of *Cornwall* for the Time being.

Saving Rights of Conservators of the Rivers Thames and Mersey, &c.

13. Nothing in this Act contained shall extend or be applicable to the Port of *London*, or to the River *Thames* within the Limits defined by "The *Thames* Conservancy Act, 1857," nor to the Port and Harbour of *Liverpool*, or to the River *Mersey*, as defined by an Act passed in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act for better preserving the Navigation of the River* Mersey, nor to the Port and Harbour of *Glasgow* and the Limits of the River *Clyde*, as defined by "The *Clyde* Navigation Consolidation Act, 1858," nor to the Port and Haven of *Sunderland* and River *Wear*, within the Limits defined by "The River *Wear* and *Sunderland* Dock Act, 1859," nor to the Port of *Kingston-upon-Hull* or the River *Humber*, within the Limits defined by "The River *Humber* Conservancy Act, 1852," nor to the River *Tyne* or to the Port and Harbour of *Newcastle-upon-Tyne*, and the Limits thereof as defined by "The *Tyne* Improvement Act, 1850."

14. The

Promoters not to do any Act which shall prejudice any Right acquired by Royal Charter, &c.

14. The Promoters shall not, by any Provisional Order under this Act, or by any Act of Parliament confirming such Order, be authorized to do any Act, Matter, or Thing which shall prejudice or affect any Right, Privilege, Power, Jurisdiction, or Authority acquired by or given or reserved to any Person or Persons by Royal Charter, by Prescription, or by any Local or Personal or Private Acts, for the Purpose of executing any Works such as are contemplated by this Act, or for the Management and Conservancy thereof, or for protecting the Navigation of any tidal Waters or navigable River, or for making any River navigable, or otherwise improving, maintaining, or continuing the navigable Passage thereof, or any Works connected therewith, or which shall or shall tend to prejudice or injuriously affect the Access to or Passage from any Quay, Pier, Harbour, Basin, Dock, or Inland Navigation, or the Channels or Passages thereof, or leading thereto or therefrom, or the Use or Enjoyment of any Quay, Pier, Harbour, Basin, Dock, or Inland Navigation, without the Consent in every Case of such Person or Persons, and such Consent shall be expressed in Writing, in the Case of a Corporation under their Common Seal, and in the Case of a Company, Undertakers, Commissioners, Conservators, Trustees, or Individuals, under the Hand of their Clerk or other duly authorized Officer or Agent.

Board of Trade may grant Provisional Orders, subject to Provisions herein named.

15. After such Inquiries as the Board of Trade may think expedient, and after the Consent of the Admiralty, and of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and, if required, of the Persons mentioned in the last preceding Section, shall have been obtained, and the same shall have been certified to the Board of Trade in such Manner as they may require, the Board of Trade may settle and make a Provisional Order; and every such Order shall be made and shall take effect subject and according to the following Provisions:—

It shall specify who are to be the Undertakers of the Works, and may provide (where requisite) for the Election or Appointment of Commissioners as Undertakers of the Works, and may (where requisite) incorporate the Undertakers into a Body Corporate, with an appropriate Name, perpetual Succession, and a Common Seal:

It may empower the Undertakers to make and alter Byelaws for the Management of such Works, subject in *England* and *Ireland* to the Approval of the Court of Quarter Sessions of the Peace for the County in which the Works are situated, and in *Scotland* to the Approval of the Sheriff or Sheriff Substitute of such County:

It may empower the Undertakers to take Land on Lease or otherwise, to an Extent limited by the Order, by Agreement:

It may empower the Undertakers to levy and to recover Rates at such Works, and may provide for the Application of the Monies accruing from the Rates to be levied, and (where requisite) may provide for the due Audit of the Accounts of Receipt and Expenditure at such Works:

It may empower the Undertakers for the Purposes of such Works to borrow on Mortgage or Bond, at a maximum Rate of Interest to be therein specified, upon Security of the Rates, to an Extent limited by the Order, with Provisions for Payment of Interest and Repayment of Principal:

It may incorporate by Reference "The Commissioners Clauses Act (1847)," "The Companies Clauses Act (1845)," "The Companies Clauses (*Scotland*) Act (1845)," "The Harbour, Docks, and Piers Clauses Act (1847)," "The Lands Clauses Consolidation Act (1845)," "The Lands Clauses Consolidation (*Scotland*) Act (1845)," or any Part of such Acts, except so much of the said Two last-mentioned Acts as relates to the Purchase of Land otherwise than by Agreement; the Expression the "Special Act" used in such incorporated Acts shall be deemed to apply to such Provisional Order.

Order to be deposited with Clerk of the Peace.

16. After the making of any Order under this Act, the Promoters shall deposit a Copy of the same at the Office of the Clerk of the Peace of any County, Riding, or Division in *England* or *Ireland*, or in the Office of the Principal Sheriff Clerk of any County, District, or Division in *Scotland*, in which the proposed Works referred to in such Order may be situate; and Notice of such Deposit shall be given by Advertisement once in the *London*, *Edinburgh*, or *Dublin* Gazette, and in some Newspaper circulated in the County as aforesaid; and after it shall have been certified to the Board of Trade by the Promoters that such Deposit and Advertisement as last aforesaid have been made, and that Fourteen Days have elapsed from the Date of such Advertisement, the Board of Trade shall, within Three Calendar Months from the Beginning of the Session of Parliament in any Year, cause a Bill to be introduced into either House of Parliament for the Purpose of obtaining an Act for the Confirmation of such Order, and the Order to be confirmed shall be specified in a Schedule to the Bill introduced for confirming the same, and shall be set out at Length therein, and until such Confirmation no Provisional Order shall be of any Validity or Force whatever; and every Act of Parliament confirming such Order shall be deemed a Public General Act.

Notice of Deposit by Advertisement.

Board of Trade to obtain Confirmation of Provisional Order by Parliament.

Where Petition presented against an Order, Bill confirming same may be referred to Select Committee.

17. In case any Petition shall be presented to either House of Parliament against any Provisional Order framed in pursuance of this Act, in the Progress through Parliament of the Bill confirming the same, the Bill, so far as it relates to the Order so petitioned against, may be referred to a Select Committee, and the Petitioner shall be allowed to appear and oppose as in the Case of Private Bills.

Orders, &c. by whom to be signed.

18. All Orders, Notices, Consents, Approvals, and other Acts of the Board of Trade or of the Lords of the Admiralty in execution of this Act shall be in Writing or in Print, or partly in Writing and partly in Print, and shall be signed by One of the Secretaries or Assistant Secretaries of the Board of Trade, or by the Secretary of the Admiralty for the Time being, as the Case may be.

19. The

Board of Trade to report to Parliament.

19. The Board of Trade shall make and lay before both Houses of Parliament in the Month of *February* in each Year, if Parliament be then sitting, or if Parliament be not then sitting, then within One Week after the next Meeting thereof, a general Report of their Proceedings under this Act, stating the several Cases in which Applications have been made to them under the Provisions of this Act, and the Board of Trade may from Time to Time make and lay before Parliament such special Reports in relation to all or any of the Matters aforesaid as they may think fit.

Power to Secretary of State for War to take and hold Land, &c. for Batteries, &c.

20. It shall be lawful for the Promoters of any Harbour constructed under the Provisions of this or any other Act, whether Local or otherwise, to make, and for Her Majesty's Principal Secretary of State for the War Department to accept, a Grant either in Fee or for a Term of Years not less than Nine hundred and ninety-nine Years of any Lands, Tenements, and Hereditaments proper for Sites for Batteries or Fortifications, not exceeding in Quantity in any One Place what may be sufficient for building and erecting thereon a Battery or Fortification for the Protection of such Harbour, and for making a proper or sufficient Access or Approach thereto, and to enter into any Covenant or Stipulation with the said Principal Secretary of State and his Successors not to build or do any Act prejudicial to the said Batteries or Fortifications on the Land adjacent to the Sites so granted as aforesaid, within the Line of Fire from such Batteries or Fortifications to be erected thereon, and which Sites when conveyed as aforesaid shall be held by the said Principal Secretary and his Successors on behalf of Her Majesty.

CAP. XLVI.

An Act to confirm certain Provisional Orders made under an Act of the Fifteenth Year of Her present Majesty, to facilitate Arrangements for the Relief of Turnpike Trusts, and to extend the Provisions of the said Act.

[1st *August* 1861.]

14 & 15 Vict. c. 38.

'WHEREAS, by an Act of the Fifteenth Year of Her Majesty, Chapter Thirty-eight, "to facilitate Arrange-' "ments for the Relief of Turnpike Trusts, and to make certain ' "Provisions respecting Exemptions from Tolls," herein-after ' referred to as the Principal Act, Power is given to One of ' Her Majesty's Principal Secretaries of State to make Pro-' visional Orders for reducing the Rate of Interest and for ex-' tinguishing the Arrears of Interest on Mortgage Debts charged ' or secured on the Revenues of Turnpike Roads, in Cases where ' such Revenues are insufficient for the Payment in full of the ' Interest charged thereon: And whereas by the annual Turn-' pike Acts Continuance Act, 1860, the Principal Act is extended ' to Turnpike Roads the Acts relating to which are continued by ' such last-mentioned Act, although their Revenues are not in-' sufficient for such Payments as aforesaid: And whereas in

' pursuance

'pursuance of the Principal Act and the said Act extending 'the same, the several Provisional Orders referred to in the 'Schedule hereto have been made by Her Majesty's Principal 'Secretary of State for the Home Department, and there are 'stated in the said Schedule the Dates of such Orders and such 'Particulars relating thereto as are therein specified: And 'whereas it is expedient that the said Provisional Orders should 'be confirmed and made absolute, and that the Provision made 'by the said Annual Continuance Act, 1860, should be extended 'to Turnpike Roads the Acts relating to which are continued 'by any Annual Continuance Acts:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Orders confirmed.

1. The several Provisional Orders the Dates of which are set forth in the First Column of the said Schedule are hereby confirmed, and the Provisions thereof shall be of the like Force and Effect as if they had been expressly enacted by Parliament.

Provisions of 15 Vict. c. 38. extended to Cases herein named.

2. So much of the Principal Act as confines the Operation thereof to Cases where the Revenues of a Turnpike Road are insufficient for the Payment in full of the Interest charged on such Revenues shall, so far only as relates to any Turnpike Road in *England* the Act in relation to which is continued by any Annual Turnpike Acts Continuance Act, be repealed; and in the Case of any such Turnpike Road the Provisions of the Principal Act shall be applicable (although the Revenues of such Turnpike Road be not insufficient for such Payment as aforesaid).

SCHEDULE.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Arrears of Interest to be extinguished to the following Dates.
1860.		£ s. d.		
26 Oct.	3 Vict. c. 11., "An Act for "making a Turnpike Road "from West Kennet to Ames- "bury in the County of Wilts, "with Branches therefrom."	5,900 0 0	3*l.* per Cent.	24 June 1859.
16 Nov.	6 Geo. 4. c. 46., "An Act for "repairing the Road from "Kingston-upon-Thames to "Leatherhead in the County "of Surrey."	10,301 5 0	1*l.* 10*s.* per Cent.	No arrears extinguished.

Turnpike Trusts Arrangements.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Arrears of Interest to be extinguished to the following Dates.
1860.		£ s. d.		
30 Nov.	10 Geo. 4. c. 65., "An Act for "more effectually repairing "the Roads from Alfreton to "Higham and Tibshelf in the "County of Derby."	3,050 0 0	3*l.* per Cent.	1 Nov. 1861.
26. Dec.	59 Geo. 3. c. 25., "An Act for "repairing the Road from "Shelton's Lane in Bury in "the County of Huntingdon "to a House formerly called "The Spread Eagle in the "Hamlet of Stratton, in the "Parish of Biggleswade in "the County of Bedford."	6,530 0 0	3*l.* 10*s.* per Cent.	No arrears extinguished.
31 Dec.	10 Geo. 4. c. 87., "An Act "for making and maintaining "a Road from Sheepscar, "through Woodhouse Carr, "to Meanwoodside in the "Parish of Leeds in the West "Riding of the County of "York."	2,000 0 0 3,427 17 9	3*l.* per Cent. 2*l.* per Cent.	No arrears extinguished.
31 Dec.	4 Will. 4. c. 31., "An Act for "improving and maintaining "certain Roads in the Coun- "ties of Montgomery, Me- "rioneth, Salop, and Denbigh," so far as the same relates to "The Third District of the "Montgomeryshire Roads."	11,237 0 0	4*l.* per Cent.	No arrears extinguished.
1861.				
18 Jan.	10 Geo. 4. c. 26., "An Act for "more effectually repairing "and improving the Road "from Kipping's Cross in the "County of Kent to Flimwell "Vent in the County of "Sussex, and certain other "Roads therein described."	7,400 0 0	2*l.* per Cent.	No arrears extinguished.

Turnpike Trusts Arrangements. *Harbours.*

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Arrears of Interest to be extinguished to the following Dates.
1861.		£ s. d.		
19 March	10 Geo. 4. c. 56., "An Act for "more effectually repairing "the Road from the Brick "Kilns on East Malling Heath "to Pembury Green, and from "Brandbridges to the Four "Wents near Matfield Green, "and from the said Road into "the Mereworth and Hadlow "Road, in the County of "Kent."	7,351 17 6	3*l.* 10*s.* per Cent.	31 Dec. 1860.
16 May	2 Will. 4. c. 58., "An Act for "more effectually repairing "and maintaining the Turn-"pike Road from or near a "Place called the Five Oaks "in the Parish of Billings-"hurst, to join the Horsham "and Guildford Turnpike "Road on Broadbridge Heath "in the County of Sussex."	5,415 0 0	1*l.* 10*s.* per Cent.	31 Dec. 1860
29 June	10 Geo. 4. c. 81., "An Act for "maintaining and repairing "the Road from the River at "Swathling through Botley "to the Road at Sherril "Heath in the County of "Southampton."	1,650 0 0	1*l.* 10*s.* per Cent.	31 Dec. 1860.

CAP. XLVII.

An Act to facilitate the Construction and Improvement of Harbours by authorizing Loans to Harbour Authorities; to abolish Passing Tolls; and for other Purposes.

[1st *August* 1861.]

'WHEREAS it is expedient that Provision should be made 'for the Construction and Improvement of Harbours by 'authorizing Loans from the Public Funds to Harbour Authori-'ties, and that Provision should also be made for the Abolition 'of Passing Tolls, of Tolls levied on Shipping for the Purpose 'of Charities, of Differential Dues on Foreign Shipping, and of 'Compensation payable in respect thereof out of the Public

' Monies ; and for making Arrangements for the Preservation of ' the Rights of Creditors and for other Purposes :' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Preliminary.

Short Title.

1. This Act may be cited for all Purposes as " The Harbours and Passing Tolls, &c. Act, 1861."

Interpretation of Terms :

2. In the Construction of this Act the following Expressions shall have the Meanings hereby assigned to them, unless such Meanings are inconsistent with the Context ; that is to say,

" Board of Trade :" The Expression " Board of Trade " shall mean the Committee of Privy Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations :

" Harbour :" The Word " Harbour " shall include Harbours properly so called, whether natural or artificial, Estuaries, navigable Rivers, Piers, Jetties, and other Works in or at which Ships can obtain Shelter, or ship and unship Goods or Passengers :

" Harbour Authority :" " Harbour Authority " shall include all Persons, or Bodies of Persons, corporate or unincorporate, being Proprietors of or intrusted with the Duty of constructing, improving, managing, maintaining, or lighting any Harbour :

" Limited Estate :" The Expression " Limited Estate," shall mean the Estate of any Person entitled under any Settlement at Law or in Equity for his own Benefit to the Possession or Receipt of the Rents and Profits of Land of any Tenure for the Term of his own Life or of the Life of any other Person, whether such Land is or is not subject to Incumbrances :

" Settlement :" The Word " Settlement " shall include any Act of Parliament, Will, Deed, or other Assurance whereby particular Estates or particular Interests in Land are created with Remainders or Interests expectant thereon, and any Deed of Entail ; and every Estate and Interest created by Appointment made in the Exercise of any Power contained in any Settlement or derived from any Settlement shall be considered as having been created by the same Settlement ; and an Estate or Interest, by way of resulting Use or Trust to or for the Settlor, or his Heirs, Executors, or Administrators, shall be deemed to be an Estate or Interest under the same Settlement:

" Pilotage Authority :" " Pilotage Authority " shall include all Bodies and Persons authorized to appoint or license Pilots, or to fix or alter Rates of Pilotage, or to exercise any Jurisdiction in respect of Pilotage :

" Shipping Purposes :" The Expression " Shipping Purposes " shall include the constructing or doing any Work or Thing that conduces to the Safety or Convenience of Ships, or that facilitates the shipping or unshipping of Goods, and the Management and superintending the same, and shall also include the Maintenance of any Lifeboat or other Means of preserving Life in case of Shipwreck :

The

The Expression "Differential Dues" shall include any Dues, Rates, or Taxes levied on Foreign Ships, or on Goods carried in Foreign Ships, which are not levied under like Circumstances on *British* Ships or on Goods carried in *British* Ships; and shall also include any Excess of Dues, Rates, or Taxes levied on Foreign Ships, or on Goods carried in Foreign Ships, over the Dues or Taxes levied under like Circumstances on *British* Ships or on Goods carried in *British* Ships; excepting always such Duties as the Commissioners of Customs may be empowered to levy for the Use of Her Majesty under any Act of Parliament in the Events therein mentioned. "Differential Dues."

PART I.—LOANS TO HARBOURS.

3. The Public Works Loan Commissioners, as defined by the Act of the Nineteenth Year of the Reign of Her present Majesty, Chapter Seventeen, may, out of the Funds for the Time being at their Disposal or provided by Parliament for the Purpose, advance to any Harbour Authority, for the Purpose of constructing, improving, maintaining, or lighting any public Harbour, or for carrying into effect any other Shipping Purpose, such Sum or Sums of Money as may be required, subject to the following Regulations: Advances of Money to Harbour Authorities.

(1.) No Harbour Authority shall borrow any Money from the said Commissioners under this Act without the Approval of the Board of Trade, in Writing, signed by One of their Secretaries or Assistant Secretaries:

(2.) When the aggregate Amount of Principal Monies due to the said Commissioners from any One Harbour Authority in pursuance of this Act does not exceed One hundred thousand Pounds, the Interest payable in respect thereof shall be at the Rate of Three Pounds Five Shillings *per Annum* on each Hundred Pounds; but when such aggregate Amount exceeds One hundred thousand Pounds, the Interest payable in respect of One hundred thousand Pounds shall be at the Rate aforesaid, and the Interest payable in respect of the Excess shall be at such higher Rate as the said Commissioners may determine, not exceeding Five Pounds *per Annum* on each Hundred Pounds:

(3.) The Period for Repayment of any Sums advanced shall not exceed Fifty Years:

(4.) The Repayment of any Advances and of the Interest thereon shall be secured upon all or any of the Rates leviable by the Harbour Authority to whom such Advances are made, either alone, or together with such other Property or Income as may be agreed on, and it shall not be incumbent on the Public Works Loan Commissioners to require any other Security:

(5.) Any Harbour Authority which has for the Time being Power to levy Rates and Tolls immediately or prospectively, or is or may be entitled to any other Income or Property applicable to Shipping Purposes, shall have

Power to borrow Money from the said Commissioners under this Act on the Security of the said Rates, Tolls, Income, and Property, or any Part thereof, and to charge the same accordingly:

(6.) For the Purposes of Loans made to any Public Harbour Authority under this Act the Clauses of "The Commissioners Clauses Act, 1847," with respect to the Mortgages to be executed by the Commissioners, except so far as the same may be inconsistent with the Clauses and Provisions of the said Public Works Loan Act and the Acts therein mentioned, shall be incorporated with this Act; and in the Construction of this Act, and of the said incorporated Clauses, this Act shall be deemed to be the Special Act, and the Harbour Authority to which an Advance is made shall be deemed to be the Commissioners:

(7.) No Harbour Authority, being the Proprietor of any private Harbour, shall borrow any Money from the said Commissioners under this Act unless such Regulations are made in respect of the Rates to be taken in such Harbour, and the User thereof by the Public, as the Board of Trade may approve; and for the Purpose of making and enforcing such Regulations, it shall be lawful for Her Majesty, by Order in Council, to declare that "The Harbours, Docks, and Piers Clauses Act, 1847," shall apply to such Harbour, and to fix a Schedule of Rates not exceeding the Rates specified in the Schedule to "The Burgh Harbours (*Scotland*) Act, 1853," to be taken in the said Harbour; and thereupon the said Harbours Clauses Act, with the Exception of such Clauses as may be excepted in the said Order, shall apply to the said Harbour in the same Manner as if it had been declared to apply thereto by Act of Parliament: And in the Construction of this Act and of the said incorporated Act this Act shall be deemed to be the Special Act; and the Expression "the Undertaker" shall be deemed to mean the Proprietor of the said Harbour, and the "Rates" shall be deemed to be such Rates as may be sanctioned by the said Order in Council:

(8.) Where any Harbour Authority, being the Proprietor of any Harbour, is entitled to a "limited Estate" therein, he shall have Power to make the Repayment of any Monies borrowed by him under this Act, with the Interest, a Charge on his limited Estate in the said Harbour, and on the Estate and Interest of every Person taking under the same Settlement any Estate or Interest in such Harbour in defeasance or expectancy or by Destination on the Determination of the said limited Estate, but it shall be subject to all Incumbrances on the Harbour subsisting at the Time of the Charge:

(9.) No Advance or Part of any Advance shall be made in pursuance of this Act to any Person entitled to a limited Estate so as to charge the Estate or Interest of any Person taking in defeasance or expectancy or by Destination, except

except to an Amount to be specified in Certificates to be from Time to Time issued under the Hand of One of the Secretaries or Assistant Secretaries of the Board of Trade; and no such Certificate shall be issued until it has been proved to the Satisfaction of the Board of Trade, that the Amount specified in the Certificate has been properly expended upon the said Harbour.

Part II.—Abolition of Passing Tolls.

Abolition of Passing Tolls.

4. From and after the First Day of *January* One thousand eight hundred and sixty-two all Tolls and Rates ordinarily known by the Name of Passing Tolls, leviable in respect of any Harbours on Ships which pass but do not enter such Harbours, or on Goods carried in any such Ships, shall cease to be levied.

Indemnity to Creditors on Passing Tolls.

5. If on the First Day of *January* One thousand eight hundred and sixty-two any Debts legally incurred before the Fifteenth Day of *March* One thousand eight hundred and sixty-one remain charged on the Passing Tolls hereby abolished, then, subject to the special Provisions herein-after contained, the Creditors to whom such Debts are due shall be indemnified out of the Consolidated Fund and the growing Produce thereof for any Loss they may sustain by reason of such Abolition; but any Income or other Property that may be charged with the said Debts in common with such Tolls shall (except in the Case of Debts legally charged upon the Tolls or Revenues of the Harbours of *Whitby* and *Bridlington* previously to the Fifteenth Day of *March* One thousand eight hundred and sixty-one) be liable to make good any Payments made in pursuance of this Act for the Indemnity of the Creditors.

Part III.—Abolition of Dues levied by Charitable Corporations.

Abolition of Dues leviable by Charitable Authorities.

6. All Rates, Dues, Duties, and Imposts (herein-after included in the Term Shipping Dues) leviable by any of the Charitable Authorities named in the First Schedule annexed hereto on Ships, or on Goods carried in Ships, shall, except so far as the same may be required for the Execution of such Shipping Purposes as have hitherto been executed by means of the said Dues, cease to be levied on and after the First Day of *January* One thousand eight hundred and seventy-two.

Dues levied for Shipping Purposes on Ships or Goods which derive no Benefit.

7. Whenever any of the said Shipping Dues leviable by any of the said Authorities named in the First Schedule are applicable to Shipping Purposes, but such Shipping Purposes are not for the Benefit of Ships or Goods carried therein at the Port or Place at which such Dues are levied, such Dues shall cease to be levied on and after the First Day of *January* One thousand eight hundred and seventy-two.

Provision for Payment of Pensions granted before 15th March

8. During the Period prior to the said First Day of *January* One thousand eight hundred and seventy-two, the Shipping Dues levied by each of the Authorities named in the said First Schedule, including the Compensation for Differential Dues herein-

1861, and for Application of Surplus.

after mentioned, shall, subject to the Execution of any Shipping Purposes to which the same or any Part thereof may be applicable, be applied in Payment of any Pensions which have been lawfully granted, or in which a vested Interest, absolute or contingent, has been lawfully created before the Fifteenth Day of *March* One thousand eight hundred and sixty-one; and any Surplus arising from the said Dues during the said Period, after providing for the said Shipping Purposes, and Payment of the said Pensions for the Time being, and such Payments for Charitable or other Purposes as have heretofore ordinarily been made by the said Authority out of the said Dues, shall, with the Interest thereon, after the Termination of the said Period, be applied in Payment of such, if any, of the said Pensions as have not then ceased; and subject to such Payment, the said Surplus shall become Part of the Charitable Funds of the said Authority, and shall be held and administered by them upon the same Trusts and for the same Purposes upon and for which the said Dues would have been held and applied if this Act had not passed: If at any Time after the Expiration of the said Period it is made to appear to Her Majesty in Council that any of the said Pensions are still in existence, and that after duly accounting for the Surplus aforesaid, the Authority by which such Pensions were granted is unable, either out of the said Surplus or out of their other Funds applicable to Charitable Purposes to pay the said Pensions, it shall be lawful for Her Majesty from Time to Time, by Order in Council, to declare that the Shipping Dues theretofore levied by the said Authority shall continue for such Time and to such Extent as may by such Order be declared to be necessary for Payment of the said Pensions; and thereupon the said Shipping Dues shall continue to be leviable according to the Terms of such Order: Provided that nothing in this Act contained shall enable any of the said Authorities to apply any Part of the said Dues to any Purposes to which they could not lawfully have applied the same if this Act had not passed.

List of Pensions to be made out and sent to Board of Trade.

9. Each of the said Authorities shall, as soon as they conveniently can after the passing of this Act, make out and send to the Board of Trade a List of all Pensions to be paid by them which have been granted, or in which a vested Interest has been created, before the Fifteenth Day of *March* One thousand eight hundred and sixty-one, accompanied by such Vouchers and Explanations as the Board of Trade may require; and each of the said Authorities shall, as early as possible, in every Year during the said Period of Ten Years, publish in some local Newspaper a Statement of their gross Receipts from the said Shipping Dues, and of the Manner in which the same have been expended or applied in the preceding Year.

PART IV.—ABOLITION OF DIFFERENTIAL DUES, AND COMPENSATION THEREFOR.

Abolition of Differential Dues.

10. All Differential Dues shall cease and be abolished on and after the First Day of *January* One thousand eight hundred and sixty-two.

11. All

Compensation for Differential Dues, when to cease.

11. All Payments which would but for such Abolition have been made out of Public Monies by way of Compensation for Differential Dues, under the Authority of the Acts enumerated in the Second Schedule hereto annexed, or of any other Act or Acts relating to such Dues, shall continue until the First Day of *January* One thousand eight hundred and seventy-two, and shall then cease.

Compensation, whilst continued, to be limited.

12. From and after the Thirty-first Day of *December* One thousand eight hundred and sixty-one the Compensation for Differential Dues paid to any Corporation, Body of Persons, or Person in any One Year shall be the Amount paid to such Corporation, Body, or Person in the Year One thousand eight hundred and sixty; and the Commissioners of Her Majesty's Treasury may cause the said Compensation to be paid to the said Corporations, Bodies, or Persons, without requiring them to transmit their Claims to the *Trinity House of Deptford Strond* for Examination.

Commutation of Compensation.

13. The Commissioners of Her Majesty's Treasury may at any Time, on giving Three Months Notice of their Intention so to do, commute annual Payments by way of Compensation for Differential Dues, by paying to the Parties entitled thereto a gross Sum equal to such Number of Years Purchase as may for the Time being remain unexpired of the Period for which the said Payments are to continue, after deducting Interest on the anticipated Payments at the Rate of Four *per Cent.*

Indemnity to Public Authorities.

14. All such Harbour and Pilotage Authorities and other Bodies Corporate, Bodies of Persons, and Persons as have heretofore applied to Shipping Purposes or to other public Purposes, Compensation paid to them for Differential Dues, or as have contracted Debts for such Purposes, may, from and after such Time as such Compensation ceases to be paid to them, with the Consent of Her Majesty in Council, indemnify themselves for the Loss thereof by raising any Rates which they have Power to levy, to such an Amount as will produce a Sum that will enable them to perform such Services, subject to this Proviso, that no Rates or Dues of any Kind shall in pursuance of the Power hereby given be made payable in respect of any Foreign Ship, or Goods carried in any Foreign Ship, over and above the Rates and Dues made payable under like Circumstances in respect of *British* Ships and the Goods carried in *British* Ships.

Power to recover increased Dues.

15. In the event of any Increase of Taxes or Rates being sanctioned by Her Majesty in Council, the Body Corporate, Persons, or Body of Persons empowered to increase the same shall, notwithstanding any Act of Parliament, Charter, or Usage to the contrary, have the same Powers and Remedies for levying such increased Taxes or Rates as they had for levying the same Taxes or Rates previously to such Increase.

Saving of Rights of Creditors.

16. Nothing herein contained shall prejudice or affect the Right of any Creditor who may have advanced Monies either wholly or partially on the Security of any Differential Dues, or of any Payments out of the Public Monies made by way of Compensation for Differential Dues; but if the Commissioners of Her Majesty's

Majesty's Treasury make any Payment to such Creditor in respect of such Compensation the Sum so paid shall be deemed to be a Debt due to the Crown from the Persons or Body to whom the Creditor made the Advance in respect of which the Payment is made, and shall be recoverable accordingly.

PART V.—POWER TO TOWN CORPORATIONS, &C. TO TRANSFER SHIPPING DUES TO HARBOUR AUTHORITIES.

Power to transfer Dues.

17. Any Body Corporate or Person having Power to levy Shipping Dues may, with the Consent of Her Majesty in Council, by Deed transfer, upon such Terms as they or he think fit, all or any Portion of the Shipping Dues leviable by them or him to any Authority entrusted with the Duty of constructing, maintaining, or improving any public Harbour within which such Dues or any Portion thereof may be levied; and the Transferees of such Dues shall be possessed of all the Rights and Privileges in respect of such Dues of which the Transferors were possessed previously to such Transfer, and shall apply the said Dues to Shipping Purposes within the said Harbour.

Notice of intended Transfer to be given.

18. Previously to making any such Transfer as aforesaid, the Parties proposing to make the same, herein-after called the Transferors, shall give Notice of the Terms on which it is proposed to be made, by publishing such Terms twice at least in some local Newspaper or Newspapers, or by issuing Advertisements naming a Time and Place at which a Copy of the proposed Terms may be inspected; and it shall be lawful for any Persons or Body of Persons interested in the Matter, to lay before them in Writing such Objections or Observations with reference thereto as they think expedient, and it shall be the Duty of the Transferors and of the said Harbour Authority to take the same into consideration and to make such Modifications in or Additions to the said Terms (if any) as they may think fit to adopt, and it shall likewise be their Duty, in applying for the Consent of Her Majesty in Council, to forward all such Objections and Observations, with their Answer thereto for the Consideration of Her Majesty in Council.

Evidence of Transfer.

19. Upon the Completion of the Transfer, a Copy of the Order in Council approving of the Transfer, accompanied with a Copy of the Instrument of Transfer, shall be published in the *London Gazette*; and the Production of the *London Gazette* containing such Copy shall be Evidence that the said Transfer has been effected.

Power to borrow Money in order to effect such Transfer.

20. Every Harbour Authority may from Time to Time borrow at Interest, on the Security of any Property belonging to them, or of any Rate or Rates which they have Power to levy, any Sum or Sums they may require for procuring any such Transfer as aforesaid to be made to them; and for the Purposes of such borrowing, the Clauses of "The Commissioners Clauses Act, 1847," with respect to the Mortgages to be executed by the Commissioners (except the Clause numbered 84.) shall be incorporated with this Act. The said Transferors shall hold and apply all Monies paid to them by way of Consideration for any such

such Transfer as aforesaid upon the same Trusts, if any, and for the same Purposes, upon and for which the said Shipping Dues, if not so transferred, would have been held and applied.

PART VI.—ABOLITION OF SPECIAL TAXES AT DUBLIN.

Abolition of Special Taxes at Dublin.

21. All Taxes on Ships, or Goods carried in Ships, leviable within the Port of *Dublin*, which are mentioned in the Third Schedule hereto, shall cease to be levied on and after the First Day of *January* One thousand eight hundred and sixty-two.

PART VII.—MAINTENANCE OF RAMSGATE, DOVER, WHITBY, AND BRIDLINGTON HARBOURS.

Ramsgate Harbour.

Transfer of Ramsgate Harbour to Board of Trade.

22. On and after the First Day of *January* One thousand eight hundred and sixty-two the Harbour of *Ramsgate* and the Soil thereof, and all Property, Real and Personal, vested in the Trustees of the said Harbour, or in any Person in trust for the Purposes of the said Harbour, with their actual and reputed Appurtenances, subject to all Leases, Contracts, Charges, or other Liabilities affecting the same, shall be transferred to and are hereby vested in the Board of Trade.

Transfer of Powers to Board of Trade.

23. All Powers, Rights, and Privileges of imposing, collecting, or recovering any Taxes or Rates, of purchasing any Lands, or of doing any other Matter or Thing relating to the said Harbour of *Ramsgate*, or the Property belonging thereto, which may by virtue of any Act of Parliament, Charter, or otherwise, be vested in or exerciseable by the Trustees of *Ramsgate* Harbour, shall be transferred to and are hereby vested in the Board of Trade.

Debts, &c. of Trustees enforceable against Board of Trade.

24. All Debts and Obligations incurred, all Contracts entered into, and all Matters and Things engaged to be done by, with, or for the Trustees of *Ramsgate* Harbour, in respect of any Property, Powers, Rights, or Privileges hereby transferred to the Board of Trade, shall be deemed to have been incurred, entered into, or engaged to be done by, with, or for the Board of Trade, and all such Debts, Obligations, Contracts, Matters, and Things, and all Securities for the same, and all Penalties and Forfeitures for the Nonperformance thereof, shall be enforceable by or against the Board of Trade, to the same Extent as the same would, if no such Transfer had taken place, have been enforceable by or against the said Trustees of *Ramsgate* Harbour.

Accounts of Trustees of Ramsgate Harbour to be made up.

25. The Accounts for the Trustees of *Ramsgate* Harbour for the Period antecedent to the said Transfer shall be finally made up, and shall be audited, settled, allowed, approved, and transmitted to the Honourable the House of Commons, as required by the Acts relating to the Harbour; and thenceforth the Trustees and all Persons who at any Time shall have been Trustees of the Harbour, and their respective Representatives, shall be freed from all Liabilities whatsoever, under or by virtue of the Acts relating to the Harbour or any of them.

Indemnification of Trustees

26. The Board of Trade shall out of the *Ramsgate* Harbour Fund indemnify the Trustees of *Ramsgate* Harbour and their respective

of Ramsgate Harbour.

respective Representatives from all Liabilities not arising from their own personal wrongful Act or Default, to which the Trustees at the Time of this Act coming into operation are or but for this Act would become subject.

Rates to be taken in Ramsgate Harbour.

27. On and after the First Day of *January* One thousand eight hundred and sixty-two the Board of Trade may, for the Purpose of maintaining and improving the Harbour of *Ramsgate*, in lieu of the Rates heretofore levied, impose and levy Rates on Vessels entering and using the said Harbour, and on Goods shipped or unshipped in the said Harbour, not exceeding the Rates specified in the Schedule (A.) annexed to "The Burgh Harbours (*Scotland*) Act, 1853," with the Exceptions and Modifications hereinafter mentioned; that is to say,

(1.) In the Case of any Vessel carrying Passengers the Board of Trade may, instead of levying a Tonnage Rate on the Vessel, levy on every Passenger embarking from or landing on the Pier or Piers of the said Harbour on or from the said Vessel, a Rate not exceeding Threepence, to be paid if demanded before the Passenger is allowed to embark or land:

(2.) On every Ton of Coal, Coke, or Culm shipped or unshipped in the said Harbour, the Board of Trade may levy a Rate not exceeding Sixpence:

(3.) Whenever any Vessel enters the Harbour in distress, and for the Purpose of repairing the said Vessel any Goods are unshipped therefrom, and the Rates upon the Unshipment of such Goods are duly paid, then if such Goods are afterwards re-shipped in the said Harbour without any Change in the Ownership thereof having taken place, no further Rates shall be leviable upon the said Goods in respect of such Reshipment:

(4.) No Rates shall be levied on Fishing Boats belonging to *Ramsgate:*

(5.) No Rate shall be levied on Vessels using the said Harbour solely as a Harbour of Refuge, and remaining therein not more than Sixty Hours:

And the Board of Trade may from Time to Time vary such Rates by reducing or raising the same, so that they do not exceed the Rates herein-before authorized.

Board of Trade to receive Per-centage on Salvage.

28. On and after the First Day of *January* One thousand eight hundred and sixty-two, the Board of Trade shall be entitled to receive a Per-centage of Five Pounds in the Hundred on all Salvage paid or liable to be paid in respect of any Ship or Boat, or Cargo or Apparel of any Ship or Boat, or any Wreck or other Property, which may be brought into the said Harbour; and such Per-centage shall be deducted from the Salvage, and shall be paid to the Board of Trade before the Remainder of the Salvage is paid over to the Salvors, and shall be recoverable by the same Means by which the Salvage is recoverable.

Gross Sum of 2,000*l.* to be paid to Mayor, &c. of Sand-

29. From and after the First Day of *January* One thousand eight hundred and sixty-two, the Sum of Two hundred Pounds a Year heretofore paid to the Mayor, Aldermen, and Burgesses of

of *Sandwich* out of the Revenues of the Harbour of *Ramsgate* shall cease, and in lieu thereof there shall be paid to them, on or before that Day, by the Board of Trade, out of the *Ramsgate* Harbour Fund herein-after mentioned, a single Sum of Two thousand Pounds. wich in lieu of annual Payment of 200*l.*

30. The said Mayor, Aldermen, and Burgesses shall apply the said Sum of Two thousand Pounds in Payment or Part Payment of any Debts lawfully charged on the said annual Sum of Two hundred Pounds, heretofore paid to them either alone or in common with other Property or Income of the said Mayor, Aldermen, and Burgesses; and the Remainder, if any, of such Debts shall be paid by the said Mayor, Aldermen, and Burgesses out of any Rate or Rates they may have Power to levy in respect of the Harbour of *Sandwich*; and the said Mayor, Aldermen, and Burgesses may, notwithstanding any Prohibition contained in any Act of Parliament as to the maximum Amount of such Rate or Rates, raise the same to such Amount as may be necessary for satisfying such Debts as aforesaid. Application of the said Sum of 2,000*l.*

31. All Money and Income received by the Board of Trade in pursuance of this Act shall be carried to a separate Account, entitled "The *Ramsgate* Harbour Fund Account," and, subject to any other Charges specified in this Act, the same shall be applied to the Management, Maintenance, and Improvement of the said Harbour. As to Income of Ramsgate Harbour.

32. The Board of Trade shall, whilst *Ramsgate* Harbour remains in their Hands, render to the Commissioners of Her Majesty's Treasury periodical Accounts of the whole of the Receipts and Expenditure in respect thereof, such Accounts to be signed and declared to by the Accountant appointed by the Board of Trade for that Purpose, and the said Commissioners shall cause the same to be examined and audited in such Manner as they think fit. Ramsgate Harbour Accounts to be rendered to Treasury, &c.;

33. The Board of Trade shall, as soon as practicable after the Meeting of Parliament in every Year, cause the Accounts of *Ramsgate* Harbour for the preceding Year to be laid before both Houses of Parliament. and laid before Parliament.

34. 'Whereas the Trustees of *Ramsgate* Harbour have established a Benefit or Superannuation Fund for Persons employed 'by them at weekly Wages, by means of Contributions from the 'Workmen, and of Sums added out of the Revenues of the Har-'bour: And whereas there is a considerable Capital now standing 'to the Credit of the said Fund:' Be it enacted, That the Board of Trade shall either continue the said Benefit or Superannuation Fund in accordance with the Regulations now in force with respect to the same, or such other Regulations as may from Time to Time be approved by them, or shall wind up the said Fund in such a Manner that every Pension granted by the Trustees before the Fifteenth Day of *March* One thousand eight hundred and sixty-one, or granted by them after that Day and allowed by the Board of Trade, shall be fully paid, and that every Contributor not in receipt of a Pension granted before such Time as aforesaid shall be repaid the Amount he has contributed, with Interest Board of Trade may continue Ramsgate Harbour Superannuation Fund or wind up the same.

Interest at Three *per Centum per Annum*: In case the said Fund is wound up, the Capital of the said Fund now in the Hands of the Trustees shall be employed in satisfying its Liabilities; if the said Capital is insufficient for the Purpose, the Deficiency shall be made up out of the *Ramsgate* Harbour Fund, but if the said Capital is more than sufficient for the Purpose, any Surplus shall be carried to the Credit of the last-mentioned Fund.

Board of Trade may allow Compensation to Persons deprived of Offices.

35. The Board of Trade shall allow Compensation or Superannuation Allowance to any Person in the Employ of the Trustees of *Ramsgate* Harbour not having Claims on the Benefit or Superannuation Fund herein-before mentioned, whose Salary or Emoluments are by reason of the passing of this Act abolished or made less than they were before the Fifteenth Day of *March* One thousand eight hundred and sixty-one, or who being continued in the Employ of the Board of Trade afterwards retires from the Service, so that no such Compensation or Superannuation Allowance shall exceed the Proportion of Salary or Emoluments which might be granted under similar Circumstances to a Person in the Public Civil Service, and so that no such Compensation or Superannuation Allowance shall be granted, except in the Cases and upon the Conditions in and upon which the same would or might be granted if such Persons had been employed in the Public Civil Service; and any Compensation or Superannuation Allowance so allowed shall be paid out of the *Ramsgate* Harbour Fund.

Deficiency of Income to be supplied by Monies voted by Parliament.

36. If at any Time whilst the Harbour of *Ramsgate* is vested in the Board of Trade, the Income and Revenue applicable to the Purposes of managing, maintaining, and improving the said Harbour of *Ramsgate* are insufficient for such Purposes, or for the other Purposes to which the said *Ramsgate* Harbour Fund is applicable, it shall be lawful for the Commissioners of Her Majesty's Treasury to advance such Sums as may be requisite for the said Purposes out of Monies to be provided for the Purpose by Parliament.

Harbour to be free from Rates.

37. The Harbour of *Ramsgate* shall not be assessed, rated, or liable to pay to any County, Parochial, or other Rates or Cesses; and *Ramsgate* Harbour, and all Property and Income vested in or belonging to the Board of Trade in respect of the said Harbour, and all Premises or Property used or applied by the Board of Trade for the Purpose of the said Harbour, and all Instruments or Writings used by the Board of Trade in respect of the said Harbour, shall be exempted from all Public Taxes and Duties of every Kind; save only that Parochial or other local Rates shall still be payable on those Parts of the said Property at *Ramsgate* on which they have heretofore been paid.

Town Dues on Coal not to be levied in certain Cases.

38. No Dues shall be levied by the Commissioners for paving, lighting, watching, and improving the Town of *Ramsgate* on Coal, Culm, and Coke imported, landed, or shipped within the Parish or Harbour of *Ramsgate* in the following Cases; that is to say,

(1.) When the same are wholly and in good Faith consumed in and for the Purposes of the said Harbour or in Vessels lying in the said Harbour:

(2.) When

(2.) When the same are wholly and in good Faith consumed by the Engines or on the Premises of any Railway Company having Access by means of a continuous Line of Railway or Tramway to the said Harbour:

(3.) When the same are conveyed on any such Railway to and delivered from the same at any Place beyond the Parish of *Ramsgate*, and the adjoining Parish of *Saint Lawrence*, and are not thereafter delivered within either of those Parishes:

And if, in any of such Cases, Dues have in the first instance been paid to the said Commissioners, the Parties who have paid them shall be allowed a Drawback or Return thereof, to be paid by the said Commissioners out of any Funds under their Control; but if any Person fraudulently obtains or endeavours to obtain the said Drawback without being legally entitled to the same, he shall be liable for every such Offence to a Penalty not exceeding Fifty Shillings; and such Penalty may be recovered and shall be applied in the same Manner as Penalties are recovered and applied under the Act (Local and Personal) of the First and Second Years of the Reign of Her present Majesty, intituled *An Act for better paving, lighting, watching, and improving the Parish of* Ramsgate *in the County of* Kent, *and for regulating the Police thereof.* 1 & 2 Vict. c. lxx. (Local.)

39. For the Purposes of *Ramsgate* Harbour, "The Harbours, Docks, and Piers Clauses Act, 1847," shall be deemed to be incorporated with this Act, and for the Purposes of such Incorporation this Act shall be deemed to be "the Special Act;" the Rates and Monies hereby made leviable on account of the Harbour of *Ramsgate* shall be deemed to be "the Rates authorized to be levied by the Special Act;" and the Board of Trade shall be deemed to be "the Undertakers." 10 & 11 Vict. c. 17. incorporated with this Act.

40. So much of the Sea Shore belonging to the Trustees of *Ramsgate* Harbour, and lying either to the Eastward or Westward of the said Harbour, as is for the Time being used as a public Highway, or as lies between High and Low Water Mark, shall be deemed to be a public Highway within the Parish, so far and so far only as relates to any Offences committed thereon contrary to the Provisions of the said Act (Local and Personal) of the First and Second Years of the Reign of Her present Majesty, intituled *An Act for better paving, lighting, watching, and improving the Parish of* Ramsgate *in the County of* Kent, *and for regulating the Police thereof*, for which the Offenders would have been liable to Fine, Penalty, or Forfeiture in case the same Offences had been committed on any other public Highway within the said Parish of *Ramsgate*. Certain Parts of Property of Trust to be within Ramsgate Police Jurisdiction. 1 & 2 Vict. c. lxx. (Local.)

Dover Harbour.

41. From and after the passing of this Act, the Harbour of *Dover* and the Soil thereof, and all Property, Real and Personal, vested in the Warden and Assistants of the Harbour of *Dover* in the County of *Kent*, or in any Person in trust for the Purposes of the said Harbour, with their Actual and reputed Appurtenances, subject Harbour of Dover to be vested in a Board of Trustees to be called "The Dover

Harbour Board."

subject to all Liabilities affecting the same, shall be transferred to and vested in a Board of Trustees, to be called "The *Dover* Harbour Board," constituted as herein-after mentioned; and the said *Dover* Harbour Board shall be a Body Corporate, with a perpetual Succession and a Common Seal, and having a Capacity to hold Lands subject to the Provisions of this Act.

Rights of imposing Rates transferred to Dover Harbour Board.

42. All Rights and Privileges of imposing, collecting, or recovering any Taxes or Rates, of purchasing any Lands, or of doing any other Matter or Thing relating to the said Harbour of *Dover*, or the Property belonging thereto, or to the said Warden and Assistants of *Dover* Harbour, which may, by virtue of any Act of Parliament, Charter, or otherwise, be vested in or exerciseable by the Warden and Assistants of *Dover* Harbour, shall, on and after the passing of this Act, by force and virtue of this Act, be transferred to and vested in the said *Dover* Harbour Board.

Existing Debts, &c. enforceable by or against Board.

43. All Debts and Obligations incurred, all Contracts entered into, and all Matters and Things engaged to be done by, with, or for the Warden and Assistants of *Dover* Harbour, in respect of any Property, Powers, Rights, or Privileges transferred to the said *Dover* Harbour Board as aforesaid, shall be deemed to have been incurred, entered into, or engaged to be done by, with, or for the *Dover* Harbour Board; and all such Debts, Obligations, Contracts, Matters, and Things, and all Securities for the same, and all Penalties and Forfeitures for the Nonperformance thereof, shall on and after the passing of this Act, be enforceable by or against the said *Dover* Harbour Board to the same Extent as the same would, if no such Transfer had taken place, have been enforceable by or against the said Warden and Assistants of *Dover* Harbour.

After 1st January 1862 Board may impose Rates for Harbour Purposes.

44. After the First Day of *January* One thousand eight hundred and sixty-two the said *Dover* Harbour Board may, for the Purpose of maintaining and improving the said Harbour, with the Consent of Her Majesty in Council, impose Rates on Vessels using the Harbour, and on Goods landed or shipped in the Harbour, not exceeding the Rates specified in Schedule A. annexed to "The Burgh Harbours (*Scotland*) Act (1853)," and may from Time to Time, with the like Consent, vary such Rates by reducing or raising the same, so that they do not exceed the Rates mentioned in the said Schedule; and any Rates so imposed may be either in lieu of or in addition to any other Rates leviable by the said Warden and Assistants, and which by this Act the said *Dover* Harbour Board are authorized, on and after the said First Day of *January* One thousand eight hundred and sixty-two, to levy as aforesaid.

Debts incurred prior to 15th March 1861, and secured on Passing Tolls, shall be paid by Board out of Rates.

45. Subject to the Right of the Creditor as reserved by this Act, all Debts legally incurred previously to the Fifteenth Day of *March* One thousand eight hundred and sixty-one, and secured on the Passing Tolls levied in respect of *Dover* Harbour, either alone or in common with other Property, shall be paid by the said Harbour Board out of any Rates they may have Power to levy, and out of any Real or Personal Property of which they may have

have become seised or possessed; and for the Purpose of paying such Debts, and the permanent Improvement of the said Harbour, the said Harbour Board may sell the Real and Personal Property vested in them as aforesaid, or any Part thereof, and apply the Monies arising from such Sale accordingly.

Compensation to Officers not re-appointed by Board to Offices of equal Value.

46. If any of the present Officers of the Warden and Assistants of *Dover* Harbour shall not be appointed by the said Harbour Board to the same Offices as those they now hold, or to others of an equal annual Value, then the said Harbour Board may, with the Consent of the Board of Trade, allow such Compensation or Superannuation Allowance as the said Harbour Board may think fit to any such Officer or Officers, but so that no such Compensation or Superannuation Allowance shall exceed the Proportion of Salary or Emoluments which might be granted under similar Circumstances to a Person in the Public Civil Service under the Act of the Twenty-second Year of the Reign of Her present Majesty, Chapter Twenty-six, or of any other Act for regulating such Compensation or Superannuation Allowance for the Time being in force; and any Compensation or Superannuation Allowance so allowed shall be paid out of the Revenue of the said Harbour Board.

Constitution of Dover Harbour Board.

47. The said *Dover* Harbour Board shall consist of Seven Members, Four of whom shall form a Quorum; the said Seven Members shall be the Lord Warden for the Time being of the Cinque Ports, Two Burgesses of the Borough of *Dover* elected by the Town Council every Three Years, and to be eligible for Re-election, a Member to be from Time to Time appointed by the President of the Board of Trade for the Time being, a Member to be from Time to Time appointed by the First Lord of the Admiralty for the Time being, a Member to be from Time to Time appointed by the *South-eastern* Railway Company under their Common Seal, and a Member to be from Time to Time appointed by the *London, Chatham, and Dover* Railway Company under their Common Seal: Provided, that in the event of either or both of the said Railway Companies failing or declining to appoint a Member of the said Harbour Board within One Calendar Month after having been required so to do by the President of the Board of Trade, then such President shall, from and after such Default, be entitled thereafter to appoint from Time to Time another Member or Members in lieu thereof, as the Case may be; and the said Lord Warden shall *ex officio* be Chairman of the said Harbour Board; and the said Lord Warden shall also from Time to Time nominate under his Hand One of the Members of the said Harbour Board to be his Deputy, to preside at all Meetings at which the said Lord Warden shall not be present; and in the event of an Equality of Votes at any Meeting of the said Board the Chairman of such Meeting shall be entitled to a Casting Vote in addition to his ordinary Vote.

Members of Board not to hold Places of

48. No Member of the said Harbour Board shall enjoy any Office or Place of Profit under this Act; and no such Member shall directly or indirectly by himself or his Partner have any

Profit or be concerned in Contracts.

Penalty for so offending.

Share or Interest in or be in any Manner concerned in any Contract or Bargain relating to any Works to be ordered, done, or executed under the Provisions of this Act or any other Act, or any Charter relating to *Dover* Harbour, or in the Execution of any such Works, or in the supplying of any Materials for any such Works, or for the Use of the said Harbour or Board; and if any Member of the said Board shall disobey this Enactment, every such Member so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, and shall, upon being convicted of any such Offence, become then and be for ever afterwards incapable of being or acting as a Member of the said Board; and no such Contract or Bargain as aforesaid, which any such offending Member has entered into contrary to the Intent of this Enactment shall be enforced against the said Board: Provided nevertheless, that all Acts and Proceedings of any Person acting as a Member of the said Board previous to his being convicted of any such Offence, shall, notwithstanding such Conviction, be good, valid, and effectual.

Contracts and Bargains made contrary hereto to be void.

Debts paid out of Public Monies to be Debts due to the Crown.

49. If at any Time any Debts hereby made payable by the said *Dover* Harbour Board are paid out of Monies provided by Parliament in pursuance of this Act, the Amount so paid shall be deemed to be a Debt due to the Crown from the said *Dover* Harbour Board, and shall be recoverable accordingly.

No new Debts to be incurred till existing Debts are discharged, &c.

50. Until the Debts charged on the Revenues of *Dover* Harbour previously to the said Fifteenth Day of *March* One thousand eight hundred and sixty-one are discharged, it shall not be lawful for the *Dover* Harbour Board to charge the said Revenues or any Part thereof with any new Debt, or to undertake any new Works, without the Consent of the Commissioners of Her Majesty's Treasury.

Power to Corporation of Dover to transfer Dues to Harbour.

51. The Mayor, Aldermen, and Burgesses of *Dover*, hereinafter called the Corporation, may at any Time hereafter, by Deed under their Common Seal, transfer to the said *Dover* Harbour Board, to be applied by them to the Purposes of the Harbour, all or any of their Powers, Rights, and Privileges, whether exercised by them in the Capacity of Corporation or of Local Board of Health, of levying Rates and Dues on Coal, Culm, and Coke imported, and of levying Rates and Dues on Ships or on Goods carried in Ships; and thereupon the said *Dover* Harbour Board may exercise the Powers, Rights, and Privileges so transferred in as full a Manner as but for such Transfer the said Corporation might have exercised the same.

Corporation and Harbour Board may apportion Debts.

52. The said Corporation and the said *Dover* Harbour Board may, on any such Transfer as aforesaid, enter into such Arrangements as they may think fit, for the apportioning as between themselves the Incidence of any Debt charged on the Rates and Dues so transferred, and for granting Indemnities to each other for the Purpose of carrying such Arrangements into effect.

Reservation of Rights of Creditors.

53. Any Creditor shall, in respect of any Advance made by him on the Security of the Rates and Dues hereby authorized to be transferred to the said *Dover* Harbour Board, have the same

same Claim against the said Rates and Dues when transferred to the said *Dover* Harbour Board, and against the said *Dover* Harbour Board to the Extent of the Rates and Dues so transferred, as he would, if such Transfer had not been made, have had in respect of the same Debt against such Rates and Dues in the Hands of the said Corporation and against the said Corporation in respect thereof.

Whitby and Bridlington Harbours.

Debts on Harbours to be paid out of Consolidated Fund.

54. The Principal and Interest of all Debts which have previously to the Fifteenth Day of *March* One thousand eight hundred and sixty-one been legally charged on the Tolls or Revenues of the Harbours of *Whitby* or *Bridlington*, shall be chargeable upon the Consolidated Fund of the United Kingdom, and shall be paid in such Manner as the Commissioners of Her Majesty's Treasury may direct; and the Debt payable to the Public Works Loan Commissioners charged upon the Tolls or Revenues of the Harbour of *Bridlington* shall cease from the First Day of *January* One thousand eight hundred and sixty-two.

Compensation to Servants of Whitby Trustees.

55. The Commissioners of Her Majesty's Treasury may allow out of Monies to be voted by Parliament such Compensation or Superannuation Allowance as they may think fit to any Person in the Employ of the Trustees of *Whitby* Harbour who by reason of the passing of this Act is deprived of any Salary or Emolument, so that no such Compensation or Superannuation Allowance exceeds the Proportion of Salary or Emoluments which might be granted under similar Circumstances to a Person in the Public Civil Service.

Passing Tolls not to be charged with further Debts.

56. It shall not be lawful for the Trustees of *Whitby* Harbour or the Commissioners of *Bridlington* Harbour to charge the Passing Tolls levied by them with any new Debts; nor shall it be lawful for them, until the First Day of *January* One thousand eight hundred and sixty-two, to undertake any new Works without the Consent of the Commissioners of Her Majesty's Treasury.

Power to Trustees of Whitby Harbour to levy Rates.

57. The Trustees of *Whitby* Harbour may, for the Purpose of maintaining and improving the Harbour, with the Consent of Her Majesty in Council, impose Rates on Vessels using the Harbour, and on Goods shipped or unshipped in the Harbour, not exceeding the Rates specified in Schedule A. annexed to "The Burgh Harbours (*Scotland*) Act, 1853," and may from Time to Time, with the like Consent, vary such Rates by reducing or raising the same, so that they do not exceed the Rates mentioned in the said Schedule; and any Rates so imposed may be either in lieu of or in addition to any other Rates leviable by the said Trustees.

Power to Town Commissioners of Whitby to transfer Dues to Harbour.

58. The Commissioners acting under the Act of the Seventh Year of the Reign of King *William* the Fourth, intituled *An Act for better paving, cleansing, lighting, watching, and improving the Town of* Whitby *in the North Riding of the County of* York, may, if they shall think fit, at any Time hereafter, by Deed transfer to the said Trustees of *Whitby* Harbour, to be applied by them to the Purposes of the Harbour, all or any of

the Powers, Rights, and Privileges which they may possess of levying Rates and Dues on Coal or other Articles imported, or of levying Rates and Dues on Ships or on Goods carried in Ships; and thereupon the said Trustees may exercise the Powers, Rights, and Privileges so transferred in as full a Manner as but for such Transfer the said Commissioners might have exercised the same.

Reservation of Rights of Creditors.

59. Any Creditor shall, in respect of any Advance made by him on the Security of the Rates and Dues hereby authorized to be transferred to the said Trustees of *Whitby* Harbour, have the same Claim against the said Rates and Dues when transferred, and against the said Trustees to the Extent of the Rates and Dues so transferred, as he would, if such Transfer had not been made, have had in respect of the same Debt against such Rates and Dues in the Hands of the said Commissioners, and against the said Commissioners in respect thereof.

Trustees and Commissioners may apportion Debt.

60. The said Trustees and Commissioners may, on every such Transfer as last aforesaid, enter into such Arrangements as they may think fit for the apportioning as between themselves the Incidence of any Debt charged on the Rates and Dues so transferred, and for granting Indemnities to each other for the Purpose of carrying such Arrangements into effect.

Vessels using Whitby Harbour to pay Toll for Support of Tide Lights.

61. On and after the First Day of *January* One thousand eight hundred and sixty-two, all Vessels exceeding Ten Tons entering or leaving the Harbour of *Whitby* shall pay to the Trustees of *Whitby* Harbour such Sum or Toll, not exceeding One Penny *per* Ton, as such Trustees may from Time to Time direct to be paid to them, for the Support, Maintenance, and Improvement of the existing or any future Tide Lights at the Entrance of the Harbour: Provided always, that any Vessel which shall have paid such Toll on entering the Harbour may again leave the Harbour without further Payment of Toll.

Power to Commissioners of Bridlington Harbour to levy Rates.

62. The Commissioners of *Bridlington* Harbour may, for the Purpose of maintaining and improving the Harbour, with the Consent of Her Majesty in Council, impose Rates on Vessels using the Harbour, and on Goods shipped or unshipped in the Harbour, not exceeding the Rates specified in Schedule (A.) annexed to "The Burgh Harbours (*Scotland*) Act, 1853," and may from Time to Time, with the like Consent, vary such Rates by reducing or raising the same, so that they do not exceed the Rates mentioned in the said Schedule; and any Rates so imposed may be either in lieu of or in addition to any other Rates leviable by the said Commissioners.

Incorporation of Harbours, Docks, and Piers Clauses Act.

63. For the Purpose of the Rates to be taken at the Harbours of *Dover*, *Whitby*, and *Bridlington*, so much of "The Harbours Docks, and Piers Clauses Act, 1847," as relates to the Collection and Recovery of Rates, shall be deemed to be incorporated with this Act, and for the Purposes of such Incorporation this Act shall be deemed to be "the Special Act;" the Rates and Monies hereby made leviable on account of the said Harbours shall be deemed to be "the Rates authorized to be levied by the Special Act;" and each of the Authorities hereby authorized to levy such Rates shall be deemed to be "the Undertakers."

PART VIII.—MISCELLANEOUS.

Nothing in 22 & 23 Vict. c. 29. deemed to revive Taxes, &c. which, but for 9 & 10 Vict. c. cccxlvi., would have been payable to Marine Society.

64. 'Whereas by the Act of the Ninth and Tenth *Victoria*, Chapter Three hundred and forty-six, Local and Personal, a Tax of Two Shillings was made payable to the Marine Society by certain Fishing Vessels passing the *Nore*, and the said Fishing Vessels were exempted from all other Claims, Dues, and Customs: And whereas by the Act of the Twenty-second and Twenty-third *Victoria*, Chapter Twenty-nine, the said Provisions of the Act of the Ninth and Tenth *Victoria*, Chapter Three hundred and forty-six, were repealed: And whereas Doubts are entertained whether such Repeal may not have revived other Taxes formerly payable by Fishing Vessels to the said Marine Society, and it is expedient that such Doubts be removed:' Be it enacted, That nothing in the said Act of the Twenty-second and Twenty-third *Victoria*, Chapter Twenty-nine, shall be deemed to have revived any Taxes or Rates which, but for the said Act of the Ninth and Tenth *Victoria*, Chapter Three hundred and forty-six, would have been payable to the said Marine Society.

Title of Board of Trade.

65. The Lords of the Committee of Privy Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations may be described in all Acts of Parliament, Deeds, Contracts, and other Instruments, by the official Title of "the Board of Trade," without expressing their Names, and all Acts of Parliament, Contracts, Deeds, and other Instruments wherein they are so described shall be as valid as if the said Lords or any of them had been named therein.

Vesting of Property in Board of Trade.

66. All Lands and Hereditaments heretofore purchased or taken by or in the Name or Names of any Person or Persons, for the Use of the Department of the Board of Trade, and all Lands and Hereditaments hereby transferred to and vested in the Board of Trade, and all Lands and Hereditaments that may hereafter be conveyed to the Board of Trade, or to any other Person or Persons for the Use of the Department of the Board of Trade, shall, upon and after the passing of this Act, vest in the Persons for the Time being constituting the Board of Trade, and upon their vacating their Offices shall be transferred to and vested in their Successors in Office, in a perpetual Succession, and shall be held by such Persons and their Successors in Office on trust for Her Majesty, Her Heirs and Successors, for the Public Service.

Execution of Instruments.

67. Any Deed, Contract, or other Instrument to be executed by or on behalf of the Board of Trade shall be valid if under the Seal of the Board of Trade and signed by the President or Vice President thereof, or signed, if there be no President or Vice-President, by any One of Her Majesty's Principal Secretaries of State.

Disposition of Monies arising from Sale.

68. The Monies to arise by any Sale of Land made by the Board of Trade shall be paid to such Persons as the said Board appoint, and a Receipt signed by the President or Vice President of the said Board, or, if there be no such Officers, by any One of Her Majesty's Principal Secretaries of State, shall be an effectual Discharge to the Purchaser.

Power of Board of Trade to purchase Lands.

69. The Board of Trade may purchase any Lands they may require for the Public Service; and for the Purposes of such

Purchase the Clauses of "The Lands Clauses Consolidation Act, 1845," and of "The Lands Clauses Consolidation (*Scotland*) Act, 1845," and of any Act amending the same, with the Exception of such Clauses of the said Acts as relate to the Purchase of Lands otherwise than by Agreement, and to Access to the Special Act, shall be incorporated with this Act.

FIRST SCHEDULE.

NAME of AUTHORITY.

The Trinity House of Kingston-upon-Hull.
The Trinity House of Newcastle-on-Tyne.
The Fraternity of Hostmen of Newcastle-on-Tyne.
The Society of Keelmen on the River Tyne.
The Trinity Corporation of Leith.
The Guildry Incorporation of Perth.
The Fraternity of the Masters and Seamen of Dundee.

SECOND SCHEDULE.

STATUTES referring to DIFFERENTIAL DUES.

Year and Chapter.	Title of Act.	Sections.
59 Geo. 3. c. 54.	An Act to carry into effect a Convention of Commerce concluded between His Majesty and the United States of America, and a Treaty with the Prince Regent of Portugal.	Section 9.
8 & 9 Vict. c. 90.	An Act for granting Duties of Customs.	Sections 9, 10, 11, & 12.
20 & 21 Vict. c. 62.	An Act for the Alteration and Amendment of the Laws and Duties of Customs.	Section 17.

THIRD SCHEDULE.

SPECIAL TAXES at DUBLIN.

Name of Tax.	Act under which levied.
Duty on Vessels of Twopence per Ton -	45 G. 3. c. 18. (Schedule D.)
Two Shillings and Sixpence upon every Entry Inwards made in the Port of Dublin.	
Two Shillings and Sixpence upon every Entry Outwards made in the Port of Dublin.	
Duties leviable in respect of the several Persons and Matters specified in the Schedule to the Act mentioned in the next Column.	56 G. 3. c. 62.

CAP. XLVIII.

An Act to provide for the Costs of certain Proceedings to be taken under the Landlord and Tenant Law Amendment (*Ireland*) Act (1860). [1st *August* 1861.]

'WHEREAS by an Act passed in the Twenty-third and 'Twenty-fourth Years of Her Majesty, Chapter One hun- 'dred and fifty-four, intituled *An Act to consolidate and amend* 23 & 24 Vict. 'the Law of Landlord and Tenant in Ireland, the Jurisdiction c. 154. 'of the Civil Bill Courts in *Ireland* has been enlarged, and addi- 'tional Jurisdiction has been given to the Chairmen of Quarter 'Sessions in *Ireland*, and it is necessary to make Provision for 'Payment of the Costs and Expenses in respect of such enlarged 'or additional Jurisdiction:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Five or more Chairmen of Quarter Sessions in Ireland to be appointed by the Lord Chancellor to fix a Scale of Fees, and to make Regulations as to Taxation of Costs.

1. It shall be lawful for any Five or more of the Chairmen of Quarter Sessions in *Ireland*, to be from Time to Time appointed by the Lord Chancellor of *Ireland* for the Purpose, to fix a Scale of Fees to be paid to the Process Server, Clerk of the Peace, Attorney, Counsel, Sheriff or other Officers, or Persons engaged in the Service, Conduct, and Execution of Proceedings under the enlarged and additional Jurisdiction created by the said recited Act, and to be chargeable against any Plaintiff or Defendant, Appellant or Respondent, or other Person entitled to institute, intervene in, or become Party to any Proceeding in the Courts of such Chairmen under the enlarged or additional Jurisdiction created by the said recited Act; and such Chairmen so appointed shall make such Regulations as to the Taxation and Payment of such Costs, Fees, and Expenses as shall appear to them expedient, and shall from Time to Time, as Occasion may require, alter and amend the same: Provided always, that such Costs, Fees, Expenses, and Regulations shall not be of any Validity until the same shall have been sanctioned by the Chief Justice of *Ireland*, by the Chief Justice of the Court of Common Pleas in *Ireland*, and by the Chief Baron of the Court of Exchequer in *Ireland*, or by Two of such Judges.

Fees, &c. so fixed shall alone be allowed to be taken in any Proceeding under the Act.

2. The Scale of Fees, Costs, and Expenses which shall from Time to Time be fixed by the Chairmen of Quarter Sessions so appointed for the Purpose as the Fees, Costs, and Expenses payable under the enlarged or additional Jurisdiction given by the said recited Act shall be the Fees, Costs, and Expenses chargeable as between Party and Party against any Plaintiff or Defendant, Appellant or Respondent, or other Person instituting or intervening in any Proceeding under the said recited Act, and no other Fees or Charges shall be allowed in any Bill of Costs, between Party and Party, or in any Decree or Dismiss, or in any Order for Payment of Costs, other than those which shall be so fixed by the said Chairmen named as aforesaid.

3. The

14 & 15 Vict. c. 57. and 21 & 22 Vict. c. 88. to be construed with this Act as One Act.

Interpretation of Terms.

3. The Act passed in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Fifty-seven, intituled *An Act to consolidate and amend the Laws relating to Civil Bills and the Courts of Quarter Sessions in* Ireland, *and to transfer to the Assistant Barristers certain Jurisdiction as to Insolvent Debtors*, and the Act passed in the Twenty-first and Twenty-second Years of Her Majesty, Chapter Eighty-eight, amending the said last-mentioned Act, shall be construed with this Act as One Act; and Words interpreted in the said Acts passed in the Fourteenth and Fifteenth Years of Her Majesty, and in the Twenty-first and Twenty-second Years of Her Majesty respectively, and in the Act passed in the Twenty-third and Twenty-fourth Years of Her Majesty, Chapter One hundred and fifty-four, intituled *An Act to consolidate and amend the Law of Landlord and Tenant in* Ireland, shall, when used in this Act, have the same Meanings as are assigned to them respectively by the said herein-before mentioned Acts.

CAP. XLIX.

An Act to enable Justices in *Ireland* to commit to Local Bridewells Persons convicted of Drunkenness.

[1st *August* 1861.]

'WHEREAS it is expedient to amend the Law relating to 'the Imprisonment of Persons convicted of Drunkenness 'in *Ireland*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may for all Purposes be cited as "The Petty Sessions, *Ireland*, Amendment Act, 1861."

Committal for Drunkenness for not less than 48 Hours, may be to a local Bridewell.

2. In every Case in which any Justice of the Peace shall order any Person to be committed to Gaol for Drunkenness for a Period not exceeding Forty-eight Hours, such Committal may be to any local or neighbouring Bridewell, although the same may not be a District or certified Bridewell, any Act or Acts of Parliament or Law to the contrary in anywise notwithstanding.

CAP. L.

An Act for facilitating the Transfer of Mortgages and Bonds granted by Railway Companies in *Scotland*.

[1st *August* 1861.]

16 & 17 Vict. c. 59.

'WHEREAS by an Act passed in the Sixteenth and Seventeenth Years of the Reign of Her present Majesty Queen '*Victoria*, (Chapter Fifty-nine,) it is provided that "where '"on the original making and issuing of any Bond or Mortgage '"given by Public Companies under the Provisions of Acts of '"Parliament, as Securities for Money which such Companies '"are by the said Acts expressly empowered or authorized to '"borrow, and before any Transfer or Assignment thereof, such

'"Bond

'"Bond or Mortgage shall be stamped with an Amount of '"Stamp Duty equal to Three Times the Amount of the *ad* '"*valorem* Stamp Duty chargeable thereon by Law, and over '"and above the said *ad valorem* Duty, then every Transfer or '"Assignment thereafter made of such Bond or Mortgage by '"Endorsement thereon shall be deemed to be exempt from '"the Stamp Duty which would otherwise be payable in respect '"of such Transfer or Assignment:" And whereas it is expedient 'to make Provision for regulating the Force and Effect of Bonds 'and Mortgages so stamped granted by Railway Companies in '*Scotland*, and of the Transfer or Assignment thereof by 'Endorsement thereon:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Mortgages and Bonds by Railway Companies bearing a certain Stamp Duty may be transferred by Endorsement.

1. From and after the passing of this Act, any Person entitled to any Mortgage or Bond granted by any Railway Company in *Scotland*, under the Powers contained in any Act of Parliament, may from Time to Time transfer his Right to and Interest in such Mortgage or Bond to any other Person by signing on the Back of such Mortgage or Bond an Endorsement in the Form prescribed by the Schedule to this Act, or to the like Effect; provided always, that such Mortgage or Bond shall, on the original making and issuing thereof, and before any Transfer or Assignment thereof, have been stamped with an Amount of Stamp Duty equal to Three Times the Amount of the *ad valorem* Stamp Duty chargeable thereon by Law, and over and above the said *ad valorem* Duty, and have been duly registered in the Books of such Company, in Terms of the Companies Clauses Consolidation (*Scotland*) Act, 1845.

Endorsements to be exempt from Stamp Duty, &c.

2. Every such Endorsement shall be exempt from Stamp Duty, and shall have the same Force and Effect in all respects as the Transfer of any Mortgage or Bond by Deed executed according to the Form and registered in Terms of the Provisions prescribed by the said Companies Clauses Consolidation (*Scotland*) Act, 1845.

"Person."

3. In this Act the Expression "Person" shall include Company, Firms, and Incorporations.

Short Title.

4. In citing this Act, it shall be sufficient for all Purposes to use the Expression "The Railway Companies Mortgage Transfer (*Scotland*) Act, 1861."

SCHEDULE.

Form of Endorsement.

I *A.B.* of transfer to *C.D.* of

In witness whereof I have subscribed this Endorsement at on the Day of before these Witnesses, *E.F.* of and *G.H.* of .

[*Signature of Endorser.*]

[*Signatures of Witnesses.*]

CAP. LI.

An Act for granting Pensions to some Officers and Men in the Metropolitan Police Force; and for other Purposes.

[1st *August* 1861.]

23 & 24 Vict. c. 135.

'WHEREAS in the Session of Parliament holden in the Twenty-third and Twenty-fourth Years of Her Majesty's Reign an Act was passed for the Employment of the Metropolitan Police Force in Her Majesty's Yards and Military Stations: And whereas some of the Officers and Men who formerly acted as the Police in Her Majesty's Yards were permitted to join the Metropolitan Police Force, and it is necessary to make Provision for Pensions for such Officers and Men who would or might have been entitled to Pensions had they continued to act as Police in Her Majesty's Yards without being appointed Constables in the Metropolitan Police Force; and it is also expedient to give further Protection to the Metropolitan Police Force employed in Her Majesty's Yards and Military Stations when in the Execution of their Duty:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provision for Pensions.

1. There shall be paid to the Receiver of the Metropolitan Police District or other proper Officer, out of such Monies as may at any Time or from Time to Time be provided by Parliament for the Purpose, such Sum and Sums of Money as shall be sufficient to pay to such Officers and Men who formerly acted as the Police in Her Majesty's Yards, and who joined the Metropolitan Police Force, such Amount of Pensions as the said Officers and Men would or might have become entitled to had they continued to act as Police in Her Majesty's Yards without being appointed Constables in the Metropolitan Police Force.

Exemption from Deduction from Pay authorized by 2 & 3 Vict. c. 47. s. 22.

2. The Officers and Men who formerly acted as the Police in Her Majesty's Yards, and who joined the Metropolitan Police Force as aforesaid, are hereby exempted from the yearly Rate of Deduction from their Pay which by the Twenty-second Section of the Act passed in the Session holden during the Second and Third Years of Her Majesty's Reign is authorized to be deducted from the Pay of every Constable belonging to the Metropolitan Police Force.

Penalty for assaulting, &c. Police when in execution of their Duty.

3. If any Person shall assault or resist any Constable belonging to the Metropolitan Police Force acting in the Execution of his Duty, or shall aid or incite any Person so to assault or resist, every such Offender, being summarily convicted thereof before any Two Justices of the Peace, shall for every such Offence forfeit and pay such Sum, not exceeding Five Pounds, as the said Justices shall think meet, or, in the Discretion of the Justices before whom he is convicted, may be imprisoned for any Term not exceeding One Calendar Month; and the said Justices are hereby authorized to issue Warrants of Distress to levy any such

such Sum or Sums by Distress and Sale of the Offender's Goods; and every such Sum which shall be so paid or levied shall be applied as the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral, or the Principal Secretary of State for the War Department, shall direct, any Law, Statute, Charter, or Custom to the contrary notwithstanding. Application of Penalties.

CAP. LII.

An Act to empower the Governors of the several *Australian* Colonies to regulate the Number of Passengers to be carried in Vessels plying between Ports in those Colonies. [1st *August* 1861.]

'WHEREAS by the Thirteenth and Fourteenth Sections of the Passengers Act, 1855, certain Rules are prescribed 'for determining the Number of Passengers to be carried in 'Passenger Ships, and the Decks on which Passengers may be 'carried: And whereas it is expedient to empower the Governor 'of any of Her Majesty's Colonies in *Australasia* to substitute, 'if he shall think fit, other Rules on these Points for Vessels 'carrying Passengers from any such Possession to any other of 'Her Majesty's Possessions in *Australasia*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 18 & 19 Vict. c. 119.

1. It shall be lawful for the Governor of each of Her Majesty's Colonies already or hereafter to be established in *Australasia*, by any Proclamation to be by him from Time to Time issued for the Purpose (which Proclamation shall take effect from the issuing thereof, if no Day shall be named therein for the Purpose), to prescribe such Rules as he shall think proper for determining the Number of Passengers to be carried in any Passenger Ship which shall proceed from any such Colony to any other of Her Majesty's Possessions for the Time being in *Australasia*, and for determining on what Deck or Decks, and subject to what Reservations or Conditions, Passengers may be carried, and also to prescribe such Penalties for the Infraction or Nonobservance of such Rules as to such Governor may seem proper. Governors of Australasian Colonies may regulate Number of Passengers in Ships plying between Australasian Ports.

2. From the Time when any such Proclamation shall take effect, and so long as the same shall continue in force, the Rules and Enactments contained in the said Passengers Act, 1855, relating to the Number of Passengers to be carried in any "Passenger Ship," and the Deck or Decks whereon they are to be carried, shall cease to apply to any Vessel to which such Proclamation shall be applicable, save only as to the Recovery and Application of any Penalty for any Offence committed against the said Act before such Proclamation shall take effect. While Proclamation in force, Passengers Act, 1855, not to apply to Inter-colonial Voyages.

3. The Provisions and Requirements of every such Proclamation shall be enforced in the same Manner, and in all Her Majesty's Dominions, as if they were incorporated in the said Passengers Act, or in any Act of a like Nature which may hereafter Proclamations to be enforced in all British Possessions as

if Part of Passengers Act, 1855.

after be passed by the Legislature of the United Kingdom, and a Copy of any such Proclamation, purporting to be under the Hand of the Governor of the Colony wherein the same may have been issued, and under the Public Seal of such Colony, shall in any Part of Her Majesty's Dominions wherein the same shall be produced be received as good and sufficient Evidence of the due issuing and of the Contents of such Proclamation, unless it shall be proved that such Copy is not genuine.

Interpretation of Terms.

4. The Expression "Governor," "Passenger Ship," "Passenger," shall in this Act have respectively the same Signification as in the said Passengers Act, 1855; and the Term "*Australasia*" shall signify and include *New Zealand* and *Tasmania* as well as *Australia* Proper; and Words of One Number shall import both Numbers, unless inconsistent with the Context.

CAP. LIII.

An Act to provide that Votes at Elections for the Universities may be recorded by meansof Voting Papers.

[1st *August* 1861.]

'WHEREAS it is expedient to afford greater Facilities for voting to the Electors at Elections for Burgesses to serve in Parliament for the Universities of *Oxford*, *Cambridge*, and *Dublin*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Electors to vote by means of Voting Papers.

1. It shall be lawful for such Electors, in lieu of attending to vote in Person, to nominate any other Elector or Electors of the same University, competent to make the Declaration herein-after mentioned, to deliver for them at the Poll Voting Papers containing their Votes, as by this Act provided. Every such Voting Paper shall bear Date subsequently to Notice given by the Returning Officer of the Day for proceeding to Election, and shall contain the Name or Names of the Candidate or Candidates thereby voted for, and the Name or Names of the Elector or Electors authorized on behalf of the Voter to tender such Voting Paper at the Poll, and shall be according to the Form or to the Effect prescribed in the Schedule to this Act annexed. Such Voting Paper, the aforesaid Date and Names being previously filled in, shall, on any Day subsequent to Notice given by the Returning Officer of the Day for proceeding to Election, be signed by the Voter in the Presence of a Justice of the Peace for the County or Borough in which such Voter shall be then residing; and the said Justice shall certify and attest the Fact of such Voting Paper having been so signed in his Presence, by signing at the Foot thereof a Certificate or Attestation in the Form or to the Effect prescribed in the said Schedule, with his Name and Address in full, and shall state his Quality as a Justice of the Peace for such County or Borough.

Voting Papers to be read, and Votes recorded.

2. The Voting Paper, signed and certified as aforesaid, may be delivered to the Vice Chancellor of the University for which the

the Election is held, or to any Pro Vice Chancellor appointed by him, or, in the Case of the University of *Dublin*, to the Provost of *Trinity College*, or to any Person lawfully deputed to act for him, at any One of the appointed Polling Places, during the appointed Hours of Polling, by any One of the Persons therein nominated in that Behalf, who shall, on tendering such Voting Paper at the Poll, read out the same; and the said Vice Chancellor, Pro Vice Chancellor, Provost, or Deputy shall receive the Voting Papers as the same shall be delivered, and shall cause the Votes thereby given, or such of them as may not appear to be contrary to the Provisions of this Act, to be recorded in the Manner heretofore used, in all respects as if such Votes had been given by the Electors attending in Person; and all Votes so recorded shall have the same Validity and Effect as if they had been duly given by the Voters in Person: Provided always, that no Person shall be entitled to sign or vote by more than One Voting Paper at any Election, and that no Voting Paper containing the Names of more Candidates than there are Burgesses to be elected at such Election shall be received or recorded: Provided also, that no Voting Paper shall be received or recorded unless the Person tendering the same shall make the following Declaration, which he shall sign at the Foot or Back thereof:

'I Solemnly declare, That I am personally acquainted with *A.B.* [the Voter], and I verily believe that this is the Paper by 'which he intends to vote pursuant to the Provisions of the 'Universities Elections Act.'

Provided also, that no Voting Paper shall be so received and recorded if the Voter signing the same shall have already voted in Person at the same Election: Provided also, that every such Elector shall be entitled to vote in Person, notwithstanding that he has duly signed and transmitted a Voting Paper to another Elector, if such Voting Paper has not been already tendered at the Poll.

Voting Papers may be inspected by any Person now entitled to object to Votes.

3. It shall be lawful for any Person now by Law or Custom authorized on behalf of any Candidate to object to Votes to inspect any Voting Paper tendered at the Poll before the same shall be received or recorded, and to object to it on One or more of the following Grounds:

1. That the Person on whose Behalf the Voting Paper is tendered is not qualified to vote:
2. That the Person tendering the Voting Paper is not duly qualified in that Behalf:
3. That the Person in whose Behalf the Voting Paper is tendered has already voted at that Election in Person or by Voting Paper:
4. That the Voting Paper bears Date anterior to Notice given by the Returning Officer of the Day for proceeding to Election:
5. That the Voting Paper is forged or falsified:

And the Returning Officer, his Deputy or Assessor, or any Officer having by Law or Custom Power to decide Objections in respect of Votes tendered by Voters attending the Poll in Person, shall have

have Power to put Questions to the Person tendering such Voting Paper, and to reject, receive, and record, or receive and record as objected to or protested against, any Votes tendered by Voting Papers: Provided, that in case the Objection offered to any Voting Paper shall be that it is forged or falsified, such Returning or other Officer shall receive and record such Voting Paper, having previously written upon it, "Objected to as forged," or "Objected to as falsified," together with the Name of the Person making such Objection.

Voting Papers to be filed.

4. All Voting Papers received and recorded at such Election, as well as any Voting Papers rejected for Informality or on any other Ground, shall be filed and kept by the Officer entrusted with the Care of the Poll Books or other Documents relating to the said Election; and any Person shall be allowed to examine such Voting Papers at all reasonable Times, and to take Copies thereof, upon Payment of a Fee of One Shilling.

Penalty for falsely signing Voting Papers.

5. Any Person falsely or fraudulently signing any Voting Paper in the Name of any other Person, either as a Voter or as a Witness, whether such other Person shall be living or dead, and every Person signing, subscribing, endorsing, attesting, certifying, tendering, or transmitting as genuine any false or falsified Voting Paper, knowing the same to be false or falsified, and any Person falsely making any such Declaration as aforesaid, or such Declaration as is contained in the Schedule, or with fraudulent Intent altering, defacing, destroying, withholding, or abstracting any Voting Paper, and any Person wilfully making a false Answer to any Question put to him by the Returning or other Officer as herein-before provided, shall be guilty of a Misdemeanor, and punishable by Fine or Imprisonment for a Term not exceeding One Year.

Voting Papers not liable to Stamp Duty.

6. No such Voting Paper as herein-before mentioned shall be liable to any Stamp Duty.

SCHEDULE.

UNIVERSITY ELECTION, 18 .

I *A.B.* [*the Christian and Surnames of the Elector in full, his College or Hall, if any, and his Degree or Academical Rank or Office, if any, to be here inserted*], do hereby declare, that I have signed no other Voting Paper at this Election, and do hereby give my Vote at this Election for

And I nominate - *C.D.*
E.F.
G.H.

or One of them, to deliver this Voting Paper at the Poll.

Witness my Hand this Day of 18 .

(Signed) *A.B.* of [*the Elector's Place of Residence to be here inserted*].

Signed in my Presence by the said *A.B.*, who is personally known to me, on the above-mentioned Day of 18 ,

18 , the Name [*or* Names] of as the Candidate [or Candidates] voted for having been previously filled in.

(Signed) *Z.M.* of [*the Witness's Place of Residence to be here inserted,*]

a Justice of the Peace

for .

CAP. LIV.

An Act to confirm certain Appointments in *India*, and to amend the Law concerning the Civil Service there.

[1st *August* 1861.]

33 G. 3. c. 52.

WHEREAS by Section Fifty-six of an Act of the Thirty-third Year of King *George* the Third, Chapter Fifty-two, 'it was enacted that all the Civil Servants of the *East India* 'Company in *India* under the Rank or Degree of Members 'of Council should have and be entitled to Precedence in 'the Service of the said Company at their respective Stations 'according to their Seniority of Appointment, and that no such 'Civil Servant should be capable of being advanced or promoted 'to any higher Station, Rank, or Degree therein than he should 'be entitled to according to the Length of his Service; and by 'Section Fifty-seven of the same Act it was enacted that all 'Vacancies happening in any of the Offices, Places, or Employ-'ments in the Civil Line of the Company's Service in *India* '(being under the Degree of Counsellor) should be from Time 'to Time filled up and supplied from amongst the Civil Servants 'of the said Company belonging to the Presidency wherein such 'Vacancies should respectively happen: And whereas by reason 'of the Exigencies of the Public Service Vacancies in certain 'Offices, Places, and Employments in *India* have been filled up 'by the Appointment of Persons not being Civil Servants, or not 'being Civil Servants belonging to the Presidency wherein the 'Vacancies have happened, and otherwise not in accordance with 'the Provisions of the said Enactments, and it is expedient that 'such Appointments should be rendered valid, and also that the 'Authorities in *India* should be empowered to make such Appoint-'ments in like Cases in future:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Appointments contrary to 33 G. 3. c. 52. valid.

1. All Appointments made by the Authorities in *India* to any such Offices, Places, or Employments shall be and be deemed to have been as valid and effectual as if the Act herein-before recited or referred to had not been passed.

Vacancies in Offices how to be supplied.

2. All Vacancies happening in any of the Offices, Places, or Employments specified in the Schedule annexed to this Act, and all such Offices which may be created hereafter, shall be filled up and supplied, except as herein-after provided, from amongst the Covenanted Civil Servants of the Crown in *India*.

Persons not Covenanted Civil Servants

3. Where it appears to the Authority in *India* by whom an Appointment should be made to any Office, Place, or Employment

may, under special Circumstances, be appointed to such Offices, subject to certain Restrictions.

ment specified in the said Schedule, that such Appointment, under the special Circumstances of the Case, should be made without regard to the recited Qualifications, Conditions, and Restrictions of the said Act, it shall be lawful for such Authority to make such Appointment accordingly; provided that no Person shall be so appointed who has not resided for at least Seven Years in *India*, and that every Person previously to his being so appointed to any of the Offices in the Revenue and Judicial Departments specified in the said Schedule shall pass an Examination in the vernacular Language of the District in which he is to be employed, where such Examination is now required, and shall be subject to all the departmental Tests and other Qualifications and Restrictions which are or may be imposed in the like Case on Covenanted Civil Servants.

Such Appointment in each Case to be reported to the Secretary of State.

4. Every such Appointment shall be provisional only, and shall forthwith be reported to the Secretary of State in Council of *India*, together with the special Reasons for making the same; and unless the Secretary of State in Council shall approve such Appointment, with the Concurrence of a Majority of Members present at a Meeting, and shall within Twelve Months from the Date of such Appointment notify such Approval to the Authority by whom the Appointment was made, then such Appointment shall be cancelled.

Certain Offices may be filled up.

5. All Vacancies happening in any other Offices, Places, or Employments than those mentioned in the said Schedule, and all other Offices than those so mentioned that may hereafter be created in *India*, may be filled up and supplied without regard to the Qualifications, Conditions, and Restrictions prescribed by the said Act.

Act not to apply to Office of Lieutenant Governor, &c.

6. Provided always, That this Act shall not apply to the Office of Lieutenant Governor of any Part of Her Majesty's Dominions in *India*, or to any Offices for the Supply of which Provision may be made by any other Act of the present Session of Parliament.

33 G. 3. c. 52. as to Seniority, &c. for Appointments repealed.

7. Section Fifty-six of the said Act of the Thirty-third Year of King *George* the Third, and so much of the other Sections of the said Act and of any other Act now in force as requires Seniority as a Condition or Qualification for the Appointment of Civil Servants to Offices, Places, or Employments, shall be repealed.

SCHEDULE.

Secretaries, Junior Secretaries, and Under Secretaries to the several Governments in India, except the Secretaries, Junior Secretaries, and Under Secretaries in the Military, Marine, and Public Works Departments.

Accountant General.

Civil Auditor.

Sub-Treasurer.

Judicial.

1. Civil and Session Judges, or Chief Judicial Officers of Districts in the Provinces now known as Regulation Provinces.

2. Additional

2. Additional and Assistant Judges in the said Provinces.
3. Magistrates or Chief Magisterial Officers of Districts in the said Provinces.
4. Joint Magistrates in the said Provinces.
5. Assistant Magistrates or Assistants to Magistrates in the said Provinces.

Revenue.

1. Members of the Board of Revenue in the Presidencies of Bengal and Madras.
2. Secretaries to the said Boards of Revenue.
3. Commissioners of Revenue or Chief Revenue Officers of Divisions in the Provinces now known as Regulation Provinces.
4. Collectors of Revenue or Chief Revenue Officers of Districts in the said Provinces.
5. Deputy or Subordinate Collectors where combined with the Office of Joint Magistrate in the said Provinces.
6. Assistant Collectors or Assistants to Collectors in the said Provinces.
7. Salt Agents.
8. Controller of Salt Chowkies.
9. Commissioners of Customs, Salt, and Opium.
10. Opium Agents.

CAP. LV.

An Act to amend the Laws regarding the Removal of the Poor and the Contribution of Parishes to the Common Fund in Unions. [1st *August* 1861.]

'WHEREAS it is desirable that the Laws for the Removal of the Poor should be amended:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

9 & 10 Vict. c. 66. s. 1. as to Residence of 5 Years to be altered to 3.

1. That after the Twenty-fifth Day of *March* next the Period of Three Years shall be substituted for that of Five Years specified in the First Section of the Statute Ninth and Tenth *Victoria*, Chapter Sixty-six, and the Residence of a Person in any Part of a Union shall have the same Effect in reference to the Provisions of the said Section as a Residence in any Parish.

Provision for Orphan Children under 16 Years of Age.

2. Where a Child under the Age of Sixteen Years, residing with its surviving Parent, shall be left an Orphan, and such Parent shall at the Time of Death have acquired an Exemption from Removal by reason of a continued Residence, such Orphan shall, if not otherwise irremovable, be exempt from Removal in like Manner and to the same Extent as if it had then acquired for itself an Exemption from Removal by Residence.

Provision for deserted Wives.

3. Where a married Woman shall have been or shall be deserted by her Husband, and shall after his Desertion reside for Three Years in such a Manner as would, if she were a Widow, render her

her exempt from Removal, she shall not be liable to be removed from the Parish wherein she shall be resident, unless her Husband return to cohabit with her.

Chargeability of Wayfarers.

4. Where any destitute Wayfarer, Wanderer, or Foundling shall be or become chargeable upon the Common Fund of any Union, the Cost of the Relief of such Wayfarer, Wanderer, or Foundling shall continue to be charged to such Common Fund until the Relief shall be discontinued.

Chargeability of sick Persons.

5. When any Person shall be or become chargeable upon the Common Fund of a Union, by reason of some Accident or Sickness which will not produce permanent Disability, the Chargeability upon such Fund shall cease when the Person shall be cured, and thenceforth, if the Relief continue, the Cost thereof shall be charged to the Parish where the poor Person shall be then residing unless he shall be in the Workhouse of the Union, and in such Case it shall be charged to the Parish wherein he was residing when he was removed to such Workhouse, and the Overseers of the Parish so charged may apply for and obtain an Order of Removal.

Lunatics to be chargeable upon the Common Fund.

6. The Cost of the Examination of any Lunatic Pauper, present or future, of his Removal to and from, and his Maintenance in any Asylum, Licensed House, or Registered Hospital, who would under any Provision of the Sixteenth and Seventeenth *Victoria*, Chapter Ninety-seven, be chargeable to a Parish in a Union, shall from and after the Twenty-fifth Day of *March* next be borne by the Common Fund of the Union comprising such Parish.

Orders in Lunacy may be obtained, &c. by Boards of Guardians.

7. The Guardians of any Union may obtain Orders upon the Guardians of any other Union, or upon the Guardians or Overseers of any Parish not comprised in a Union, or upon the Treasurer of the County, and may appeal against or defend any Orders in respect of any Lunatic Paupers hereby made chargeable upon the Common Fund of the Union, in like Manner and subject to the same Incidents and Provisions as are contained in the said last cited Act, in respect of Lunatic Paupers chargeable to any Parish in such Union: Provided that every Appeal now pending may be continued and determined as though this Act had not been passed.

Proviso for pending Appeals.

As to Chargeability of Union Paupers.

8. The temporary Provisions of the several Statutes whereby the Costs of the Relief, Burial, and Maintenance of certain Paupers have been made chargeable upon the Common Fund of Unions until the End of this Session of Parliament are hereby made perpetual.

Parishes comprised in Unions formed under 4 & 5 W. 4. c. 76. to contribute to Common Fund according to annual Value of rateable Property.

9. 'And whereas it is also expedient to alter the Mode in 'which the Contributions of Parishes to the Common Fund of 'the Union in which they are comprised are now calculated:' Be it therefore enacted, That after the Twenty-fifth Day of *March* next the several Parishes comprised in any Union already formed or hereafter to be formed under the Provisions of the Fourth and Fifth of *William* the Fourth, Chapter Seventy-six, shall contribute to the Common Fund thereof, in proportion to the annual rateable Value of the Lands, Tenements, and Hereditaments

ments in such Parishes respectively assessable by the Laws in force for the Time being to the Relief of the Poor, and in no other Manner, whether the Lands, Tenements, and Hereditaments shall be actually rated or not, and whether the Rate levied shall be collected in full or upon any Composition: Provided always, that nothing herein contained shall alter or affect the Liability of any Parish comprised in any such Union in regard to any Charge lawfully created in the said Union, and secured upon the Poor Rates of all or any of the Parishes comprised therein which shall have been created at any Time previous to the said Twenty-fifth Day of *March*; but the same shall continue to be charged and payable in like Manner as it would by Law have been charged and payable if this Act had not been passed; provided also, that nothing herein contained shall apply to any Contribution which shall be in arrear from any Parish in such Union on the said Twenty-fifth Day of *March*, but the same shall be recoverable and shall be applicable in the same Manner as if this Act had not been passed.

Proviso as to Liabilities.

Proviso for Contributions in arrear.

10. The Guardians of every such Union, in computing the Amount of Contribution to the Common Fund from the several Parishes, shall take the annual rateable Value of such Property in every Parish therein from the Valuation upon which such Parish was assessed to the County Rate, or, where there is no County Rate, to the Borough or Ward Rate, or other Rate in the Nature of a County Rate, in the last Assessment made not less than One Month next preceding the Day when the Order for such Contribution is made.

Mode of ascertaining the annual rateable Value.

11. No Order of Guardians for Contribution purporting to be made in accordance with this Act shall be deemed to be void by reason of any Error in the Estimate of the rateable Value of the Property in any Parish in the Union upon which the Contribution shall have been calculated; but every Parish affected by such Error shall be entitled to have the same set right in the making out and closing of the Accounts of the Union or at the Audit thereof.

No Order for Contribution to be deemed void by reason of Error in the Calculation.

12. The Words used in this Act shall be construed in the like Manner as in the said Act of King *William* the Fourth; and the Provisions contained therein and in the subsequent Acts explaining and extending the same, and not repealed, shall, so far as they shall be consistent herewith, be extended to this Act.

Interpretation of Terms, and Consolidation of the Acts.

CAP. LVI.

An Act to make Provision for Salaries for the Revising Barristers for the City of *Dublin*. [1st *August* 1861.]

'WHEREAS under the Provisions of an Act passed in the Twentieth and Twenty-first Years of Her Majesty, Chapter Sixty-eight, the Lord Lieutenant of *Ireland* appointed Two Barristers for the Revision of Lists and Registry of Voters for the City of *Dublin*, therein called "*Dublin* Revising Barristers:" And whereas it is expedient that the said Act should be amended:' Be it enacted by the Queen's most Excellent

20 & 21 Vict. c. 68.

cellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Dublin Revising Barristers to be paid an annual Salary.

1. The Two Barristers for the Revision of Lists and Registry of Voters for the City of *Dublin* respectively appointed or hereafter to be appointed under the Provisions of the said recited Act shall from and after the passing of this Act be respectively paid the annual Salary of Two hundred Guineas in lieu of the Remuneration now authorized to be paid to such Barristers respectively, and such Salary to such Barristers respectively shall be paid out of such Monies as may be provided by Parliament for that Purpose.

Barristers appointed to act for others during Illness to be paid out of their Salaries.

2. Any Barrister who shall be appointed under the Provisions of the said recited Act to do the Duty of any such Revising Barrister who may be unable from unavoidable Absence or Illness to discharge his Duties as such Revising Barrister shall be paid such Compensation for his Labour and Trouble therein, not exceeding Five Guineas for every Day that he shall be so employed, as the Lord Chancellor, Keeper, or Commissioner of the Great Seal of *Ireland* for the Time being shall think fit; such Sums to be paid out of the Salary by this Act provided for such Revising Barrister.

20 & 21 Vict. c. 68. and this Act to be as One.

3. This Act shall be deemed to be incorporated with the said recited Act, and shall be as if this Act and the said recited Act were One Act.

CAP. LVII.

An Act to continue an Act of the Fifth and Sixth Years of Her Majesty relating to private Lunatic Asylums in *Ireland.* [1st *August* 1861.]

[*Continues* 5 & 6 *Vict. c.* 123. *until August* 1, 1865, *and until the End of the then next Session of Parliament.*]

CAP. LVIII.

An Act to continue an Act of the Eleventh and Twelfth Years of Her Majesty relating to the Collection of County Cess in *Ireland.* [1st *August* 1861.]

[*Continues* 11 & 12 *Vict. c.* 32., *as amended by* 20 & 21 *Vict. c.* 7., *until August* 1, 1863, *and until the End of the then next Session of Parliament.*]

CAP. LIX.

An Act to facilitate Proceedings before Justices under the Acts relating to Vaccination. [1st *August* 1861.]

'WHEREAS it is expedient to make further Provisions in relation to Proceedings before Justices under the following 'Acts; that is to say,—

3 & 4 Vict. c. 29. 'An Act passed in the Session holden in the Third and 'Fourth Years of the Reign of Her present Majesty, 'Chapter

'Chapter Twenty-nine, intituled *An Act to extend the 'Practice of Vaccination:*

'An Act passed in the Session holden in the Fourth and Fifth 4 & 5 Vict. c. 32.
'Years of the Reign of Her present Majesty, Chapter 'Thirty-two, intituled *An Act to amend an Act to extend 'the Practice of Vaccination:*

'An Act passed in the Session holden in the Sixteenth and 16 & 17 Vict.
'Seventeenth Years of the Reign of Her present Majesty, c. 100.
'Chapter One hundred, intituled *An Act further to extend 'and make compulsory the Practice of Vaccination:'*

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited for all Purposes as "The Vaccination Acts Amendment Act, 1861." Short Title.

2. The Guardians of any Union or Parish, or the Overseers of any Parish where the Relief to the Poor is not administered by Guardians, may appoint some Person to institute and conduct Proceedings for the Purpose of enforcing Obedience to the said Acts or any of them within their Union or Parish; and as to all Expenses incurred by any Person so appointed, or by any Registrar of Births and Deaths, or by any Medical Officer of Health appointed under an Act of Parliament, in Proceedings for enforcing Penalties under the said Acts or any of them, if the Justices or Court before whom such Proceedings are had certify that such Expenses ought to be allowed, such Court or Justices shall ascertain the Amount thereof, and such Amount shall be payable out of the Rates for the Relief of the Poor of the Parish where the Person for the Time being dwells in respect of whose Default or Offence the same were instituted; and the Court or Justices shall ascertain the Amount of such Expenses. And Proceedings for enforcing Penalties under any of the said Acts, on account of Neglect to have a Child vaccinated, may be taken at any Time during which the Parent or Guardian is in default. As to Institution of legal Proceedings and Payment of Expenses of the same.

CAP. LX.

An Act to amend the Act of the Thirteenth and Fourteenth Years of Her Majesty, Chapter Sixty-nine, so far as relates to the Time thereby limited for the Publication of the Lists of Voters objected to in *Ireland*. [1st *August* 1861.]

'WHEREAS the Time limited by the Act passed in the 'Thirteenth and Fourteenth Years of Her Majesty, 13 & 14 Vict.
'Chapter Sixty-nine, for the Publication of the List of Voters c. 69.
'objected to in *Ireland*, has been found inconvenient, and it is 'expedient that the said Act should be amended:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The Clerk of the Peace and Town Clerk respectively shall publish Lists of Voters, &c. objected to on or before 24th August.

1. From and after the passing of this Act, the Clerk of the Peace of every County, and the Town Clerk of every City, Town, or Borough in *Ireland*, entitled to return a Member or Members to serve in Parliament, shall respectively publish the List of the Names of Voters, or Persons claiming to vote, against whom Notice of Objection shall have been given to such Clerk of the Peace or Town Clerk respectively, in the Manner provided by the said recited Act, on or before the Twenty-fourth Day of *August* in every Year, instead of on or before the Twenty-second Day of *August* in every Year, as required by the said recited Act.

This Act incorporated with recited Act.

2. This Act shall be deemed to be incorporated with the said recited Act, and shall be as if this Act and the said recited Act were One Act.

CAP. LXI.

An Act to amend the Local Government Act.

[1st *August* 1861.]

'WHEREAS it is expedient to amend "The Local Government Act, 1858:"' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provision as to Costs of Proceedings with a view to adopting the Local Government Act, when that Act is not adopted.

1. Ratepayers or Owners making a Requisition for the summoning of Meetings for the Purpose of deciding as to the Adoption of "The Local Government Act, 1858," shall, if required, give Security in a Bond, with Two sufficient Sureties, for Repayment to the Summoning Officer, in the event of the Act not being adopted, of the Costs incurred in relation to such Meetings or Polls taken in pursuance of any Demand made at such Meetings, the Amount of the Security to be given by such Sureties, and their Sufficiency, and the Amount of such Costs, to be settled by Agreement between the Summoning Officer and such Ratepayers or Owners, or in the event of Disagreement between them by any Justice of the Peace acting in and for the Place in which it is proposed that the said Act shall be adopted.

Local Authority having Powers of Town Government may adopt Part of Local Government Act:

2. The Power of adopting any Part of "The Local Government Act, 1858," given by the Fifteenth Section of that Act to any Corporation or Body of Commissioners exercising Powers for sanitary Regulation under the Provisions of any Local Act, shall extend to every Local Authority invested with Powers of Town Government and Rating by any Local Act, by whatever Name such Local Authority is called, and the Words "Local Board" or "Board of Commissioners" as used in the said Local Government Act shall apply to such Local Authority: Provided always, that whenever the Members of such Local Authority are elected for Life they shall adopt, in lieu of the Provisions for Elections contained in the Local Act, the Provisions for and in relation to Elections prescribed by "The Public Health Act, 1848," and "The Local Government Act, 1858," and within One Month

Provision for Election of such Local Authorities when elected for Life at the Time of adopt-

Month of such Adoption One Third of the Members of such Local Authority shall retire, the Order of Retirement to be fixed by the Local Authority, and the Election of Members in lieu of such retiring Members shall be governed in all respects by the said "Public Health Act, 1848," and "Local Government Act, 1858," and be conducted by the Chairman of the Local Authority: Provided also, that such Adoption shall not affect the Qualification fixed for Members of such Local Authority by the Local Act under which it is constituted, or the Qualification and Tenure of Office of *ex-officio* Members of such Local Authority. ing Local Government Act.

3. When any Board of Improvement Commissioners acquires Powers of rating or borrowing Money under the Fifteenth Section of the "Local Government Act, 1858," the Provisions in relation as to Audit of that Act, or of any Act amending that Act, shall be in force in the Case of such Commissioners, as if such Provisions were contained in the Local Act under which they are constituted; and when the Provisions as to Audit of such Local Act are repugnant to or inconsistent with those of the Local Government Act, or any Act amending that Act, then the Audit shall be conducted under the Provisions of the last-mentioned Act. Accounts of Improvement Commissioners acquiring borrowing Powers to be subject to Provisions as to Audit.

4. Local Boards may exercise the Powers given by the Forty-fifth Section of "The Public Health Act, 1848," also without their District, for the Purpose of Outfall or Distribution of Sewage, upon making due Compensation, to be settled in the Manner provided in the One hundred and forty-fourth Section of "The Public Health Act, 1848:" Provided always, that nothing herein contained shall give or be construed to give Power to any Local Board to construct or use any Outfall Drain or Sewer for the Purpose of conveying Sewage or filthy Water into any natural Watercourse or Stream until such Sewage or filthy or refuse Water be freed from all excrementitious or other foul or noxious Matter, such as would affect or deteriorate the Purity and Quality of the Water in such Stream or Watercourse. Local Board may exercise Powers of 11 & 12 Vict. c. 63. s. 45. for Purposes of Outfall, &c. on making Compensation.

5. Provided also, That no Sewer or other Work shall be constructed or extended, under the Enactment lastly herein-before contained, unless Three Months at the least before the Commencement of such Work Notice of the intended Work, describing the Nature thereof, and stating the intended Termini thereof, and the Names of the Parishes, Townships, and Places, and the Turnpike Roads and Streets or Places laid out or intended for Streets, and other Lands, if any, through, across, or under which the Work is to be made, and naming a Place where a Plan of the intended Work is open for Inspection at all reasonable Hours, shall be given by Advertisement in One or more of the Newspapers usually circulated in the Place where the Work is to be made, and a written or printed Copy of such Notice shall be served in manner directed by "The Public Health Act (1848)" on the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the said Lands, and on the Overseers of such Parishes, Townships, or Places, and the Trustees, Surveyors of Highways, or others, having the Care of such Roads or Streets. Previous Notices of the intended Works before Commencement.

If Objection made Work not to be made without Sanction of Secretary of State.

6. In case any of such Owners, Lessees, or Occupiers, or such Overseers, Trustees, Surveyors, or others as aforesaid, or any other Owner, Lessee, or Occupier who would be affected by the proposed Work, object to such Work, and serve Notice in Writing of such Objection on the Local Board at any Time within the said Three Months, the proposed Work shall not be made or commenced without the Sanction of One of Her Majesty's Principal Secretaries of State, after such Inquiry and Report as herein-after mentioned (unless such Objection be withdrawn).

Inspector to be appointed to make Inquiry and report to Secretary of State.

7. It shall be lawful for the Secretary of State, upon Application of any Local Board, to appoint an Inspector to make Inquiry on the Spot into the Propriety of any such Work as aforesaid, and into the Objections thereto, and to hold One or more Meeting or Meetings for the Purpose of hearing all Persons desirous of being heard before him on the Subject of such Inquiry, and to report to such Secretary of State upon the Matters with respect to which such Inquiry was directed.

Yearly Sum to be paid for Premises without District drained into Sewer within District.

8. Where already or hereafter any Premises not being within the Limits of the District of the Local Board have a Drain communicating, directly or indirectly, with a Sewer within the District, and maintained by the Local Board, and any Sewage from the Premises flows into the Sewer, there shall (except in Cases where the Owner is entitled to use such Sewer without making any Payment) be paid to the Local Board in respect thereof such a yearly Sum as is agreed on between them and the Owner of the Premises, or, failing Agreement between them, as on the Application of the Local Board is determined by Two Justices; and the yearly Sum so agreed on or determined shall be Private Improvement Expenses, and shall be charged on the Premises, and be paid and recoverable accordingly, as if the Premises were within the District: Provided, that the yearly Sum so charged shall cease to be payable if and when the Connexion between the Drain from the Premises and the Sewer is discontinued, so that a proportionate Part thereof up to the Time of the Discontinuance shall alone be payable; but if after the Discontinuance the Connexion be re-established the yearly Sum shall again become payable, and so from Time to Time.

Provision for Repair of Highways in Parts of Parishes or Townships not included in Districts under Local Government Act as herein stated.

9. The Sub-division numbered (4.) in the Thirty-seventh Section of the said Local Government Act, 1858, shall be and the same is hereby repealed; and in lieu thereof be it enacted as follows:

(1.) Where Part of a Township or Place not comprised within any District in which the said "Local Government Act (1858)" is in force, and which Part is herein-after referred to as "the excluded Part," was, before the said Act came into force in such District, liable to contribute to the Highway Rates for such Township or Place, such excluded Part shall for all Purposes connected with the Repairs of Highways and the Payment of Highway Rates, be considered to be and be treated as if forming Part of such District:

(2.) It shall be lawful for a Meeting of Ratepayers of the excluded Part (to be convened and conducted in the Manner prescribed

prescribed by the Thirteenth Section of the said Local Government Act (1858), with respect to Districts, not being Corporate Boroughs or Towns, under the Jurisdiction of Improvement Commissioners,) to decide that such excluded Part shall be formed into a separate Highway District, and thereupon the excluded Part shall for all Purposes connected with Highways, Surveyors of Highways, and Highway Rates, be considered and treated as a Township maintaining its own Highways:

(3.) The Requisition for holding such Meeting as last mentioned shall, in any excluded Part where the said Local Government Act (1858) has been in force before the passing of this Act, be presented within Six Calendar Months after the passing of this Act, and in all other Cases within Six Calendar Months after the Adoption of the said Local Government Act (1858); but nothing in this Section before contained shall apply to Districts constituted under the Public Health Act (1848), including a Part only of any Parish, Township, or Place which before the Constitution of such District maintained its own Highways.

Enabling Local Boards to act instead of Inhabitants in Vestry of Townships in their Districts in all Matters arising under the Provisions of 5 & 6 W. 4. c. 50.

10. All the Powers, Authorities, and Discretion which in and by the Act of the Fifth and Sixth Years of the Reign of King *William* the Fourth, Chapter Fifty, are vested in and given to the Inhabitants in Vestry assembled of any Parish, Township, or Place, shall, within the Districts where the Local Government Act is in force, be vested in and exerciseable by the Local Boards, or Commissioners exercising the Powers of such Local Boards, under the Provisions of this Act and of "The Public Health Act (1848)," and of "The Local Government Act (1858)"; and all Acts or Consents already done or given or purporting to be so done or given by such Local Boards, under and by virtue of the said Act of the Fifth and Sixth Years of *William* the Fourth, Chapter Fifty, acting or assuming to act in lieu of the Inhabitants in Vestry assembled of any Parish, Township, or Place within the District of the Local Board, shall operate and be as valid and effectual as if the same had been done and given or executed by such Inhabitants in Vestry.

Service of Notices and Repayment of Costs under Sects. 69, 70, 71, 73, and 74 of 10 & 11 Vict. c. 34.

11. In Districts where the "Local Government Act, 1858," is in force, Notices for Alterations under the Sixty-ninth, Seventieth, and Seventy-first Sections, Directions under the Seventy-third Section, and Orders under the Seventy-fourth Section of the "Towns Improvement Clauses Act, 1847," may, at the Option of the Local Board, be served upon Owners instead of Occupiers, or upon Owners as well as Occupiers, and the Cost of Works done under any of these Sections may, when Notices have been so served upon Owners, be recovered from Owners instead of Occupiers, and when such Cost is recovered from Occupiers they shall be entitled to make the same Deduction from the Rents payable for the Premises where the Work is done in respect of such Cost as they are entitled to make in respect of Private Improvement Rates by the "Public Health Act, 1848."

12. Where

Special District Rates leviable as General District Rates in certain Cases.

12. Where in any District, Special District Rates are levied over the same Area as General District Rates, the Local Board may make and levy such Special District Rates as Part, and under the Name, of General District Rates: Provided always, that the levying of such Rates by the Means aforesaid shall in no way prejudicially affect any Mortgages now or hereafter to be made upon such Special District Rates.

Debts due on Special District Rates may, with Sanction of Secretary of State, and of Mortgagees, and of Owners and Ratepayers, be repaid, and Money raised for such Repayment on Credit of General District Rate.

13. Where any Local Board of Health have incurred Expenses in or about any Works of a permanent Nature, and have made and levied a Special District Rate upon or in respect of the Premises situate in Part of their District, and have borrowed and taken up at Interest on the Credit of the said Special District Rate any Sums of Money necessary for defraying such Expenses, it shall be lawful for such Local Board, with the Sanction of One of Her Majesty's Principal Secretaries of State, and with the Consent of all Persons having advanced Money on the Security of the said Special District Rate, and with the Consent of the Owners and Ratepayers of the District, to be expressed by Resolution in the Manner herein provided with respect to Resolutions for the Adoption of the said Local Government Act, to pay off and discharge the Sums so borrowed and taken up at Interest on the Credit of the said Special District Rate, or such Part thereof as shall then remain due, and to re-borrow and take up at Interest on the Credit of the General District Rates of the said Local Board any Sums of Money which shall have been so paid off and discharged, and for the Purpose of securing the Repayment of any Sums so borrowed, together with Interest thereon, the Local Board may mortgage the said General District Rates to the Persons by or on behalf of whom such Sums are advanced, subject to the Regulations prescribed by the Fifty-seventh Section of the Local Government Act, 1858.

The Sanction of the Secretary of State substituted for the Sanction of the General Board of Health, which has ceased to exist.

14. In all Cases in which prior to the passing of "The Local Government Act" all or any of the Powers or Provisions of "The Public Health Act, 1848," relative to the borrowing of Money or the mortgaging of Rates, are repeated in any Local Act of Parliament, or in which it is declared in and by such Local Act that the same shall be read and construed as if all or any of such Powers and Provisions had been repeated therein, so as to confer thereunder upon any such Local Board of Health or Board of Improvement Commissioners Powers corresponding with all or any of the borrowing or mortgaging Powers contained in "The Public Health Act, 1848," and where the Sanction, Consent, Direction, or Approval of the General Board of Health is rendered requisite in or by any such Local Act to the due Exercise of any of the Powers vested thereby in any Local Board of Health or Board of Improvement Commissioners, such Powers or any of them shall and may be henceforth exercised with and under the Sanction, Consent, Direction, and Approval of One of Her Majesty's Principal Secretaries of State, in lieu of the Sanction, Consent, Direction, and Approval of the General Board of Health aforesaid, and not otherwise.

15. Seven

Making up Accounts for Audit.

15. Seven clear Days at least before the Day fixed for the Audit of Accounts of any Local Board, the Local Board shall cause their Rate Books and other Accounts to be made up and balanced, and the Books and Accounts so made up and balanced shall forthwith be deposited at the Office of the said Local Board for the Inspection of Owners and Ratepayers, and the Notice of Audit shall include a Notice of such Deposit of Accounts; and any Officer of a Local Board duly appointed in that Behalf neglecting to make up such Books and Accounts, or altering such Books and Accounts, or allowing them to be altered when so made up, or refusing to allow Inspection thereof, shall be liable on Conviction thereof to forfeit Forty Shillings; and it shall be lawful for any Ratepayer or Owner of Property in the District to be present at the Audit of the Accounts of the Local Board, and to make any Objection to such Accounts before the Auditor; and such Ratepayers and Owners shall have the same Right of Appeal against Allowances by an Auditor, as they have by Law against Disallowances.

Before giving Notice for paving, &c. of Streets not being Highways, Plans and Sections to be deposited with Local Board.

16. Before giving the Notice mentioned in the Sixty-ninth Section of "The Public Health Act, 1848," the Local Board shall cause Plans and Sections of the Works intended to be executed under that Section and the Thirty-eighth Section of "The Local Government Act, 1858," to be made, under the Direction of their Surveyor, on a Scale of not less than One Inch for Eighty-eight Feet for a horizontal Plan, and on a Scale of not less than One Inch for Ten Feet for a vertical Section, and, in the Case of a Sewer, showing the Depth of such Sewer below the Surface of the Ground; and such Plans and Sections shall be deposited in the Office of the Local Board, and shall be open at all reasonable Hours for the Inspection of all Persons interested therein during the Period for which such Notice is required to be given, and a Reference to such Plans and Sections in such Notice shall be held sufficient without requiring any Copy of such Plans and Sections to be annexed to such Notice.

Form of Notice.

17. The Form of Notice in the Schedule (A.) to this Act annexed, or to the like Effect, may be used for any of the Purposes of the Sixty-ninth Section of "The Public Health Act, 1848," and of the Thirty-eighth Section of "The Local Government Act, 1858," and of this Act, for which such Form is applicable, and such Form shall accordingly, to all Intents, be deemed sufficient for such Purposes.

Interpretation of "Special Act" in construing 8 & 9 Vict. c. 18.

18. In the Construction of "The Lands Clauses Consolidation Act, 1845," for the Purposes of any Provisional Order under "The Local Government Act, 1858," conferring Powers for the taking of Land otherwise than by Agreement, the Term "Special Act" shall mean the Act confirming such Order, and "the Date of the passing of the Special Act" shall mean the Date of the passing of the Act confirming such Order.

Extension of 21 & 22 Vict. c. 104. s. 78. to Cases in which Local

19. The Powers granted by the Seventy-eighth Section of "The Local Government Act, 1858," may be exercised in any Case where any Local Board or Board of Improvement Commissioners exercising the borrowing Powers of "The Public Health Act,

Boards incur Expenses, &c.

Act, 1848," or "The Local Government Act, 1858," or of any Local Act, has contributed to, purchased, or executed any permanent Works, or proposes to contribute to, purchase, or execute such Works, at a Cost exceeding or estimated to exceed One Year's assessable Value of the Premises assessable within the District in respect of which the Money for such Works may be borrowed.

Local Boards may make Agreements for Water Supply in certain Cases.

20. In Districts where no Water Companies are established by Act of Parliament all Local Boards may make Agreements for the Supply of Water to Persons on such Terms as may be agreed upon between the Local Board and the Persons receiving such Supply, and shall have the same Powers for recovering Water Rents accruing under such Agreements as they have for the Recovery of Water Rates by the Law in force for the Time being.

Local Boards of Health may repair Fences surrounding Burial Grounds.

21. All Local Boards of Health constituted Burial Boards may from Time to Time repair and uphold the Fences surrounding any Burial Ground which shall have been discontinued as such within their Jurisdiction, or take down such Fences and substitute others in lieu thereof, and shall from Time to Time take the necessary Steps for preventing the Desecration of such Burial Grounds, and placing them in a proper sanitary Condition; and where such Burial Boards are a Local Board of Health, they may from Time to Time pass Byelaws for the Preservation and Regulation of all Burial Grounds within their Limits, and the Expense of carrying this Section into execution may be defrayed out of any Rates authorized to be levied by any Local Board constituted a Burial Board.

Powers of Local Boards as to Land purchased under 21 & 22 Vict. c. 104.

22. Local Boards shall have the same Powers with regard to any Lands purchased by them under or for the Purposes of "The Local Government Act (1858)," or any Act incorporated therewith, which they now have with regard to Lands purchased for the Purpose of making or enlarging Streets under the Powers of the said Act.

Provision for Recovery of Charges for Private Improvements.

23. The Expenses which have been incurred by any Local Board of Health as and for Private Improvement Expenses under the "Public Health Act, 1848," as also the Expenses stated in the Sixty-second Section of "The Local Government Act, 1858," to be a Charge on the Premises, with Interest after the Rate of Five *per Centum per Annum*, may, by Order of the Local Board of Health, be declared payable by annual Instalments, with Interest after the Rate aforesaid, during a Period not exceeding Thirty Years, until the whole Amount be paid; and any such Instalments and Interest, or any Part thereof, may be recovered from the Owner or Occupier of such Premises in the same Manner as General District Rates, and may be deducted from the Rent of such Premises in the same Proportions as are allowed in the Case of Private Improvement Rates under the Ninety-first Section of "The Public Health Act, 1848."

Demands below 20*l.* recoverable in County Courts.

24. Proceedings for the Recovery of Demands below Twenty Pounds, which Local Boards are now empowered by Law to recover in a summary Manner, may, at the Option of the Local Board,

Board, be taken in the County Court as if such Demands were Debts within the Cognizance of such Courts.

Local Board may make Byelaws for licensing Horses, &c. for Hire.

25. The Local Board may make Byelaws for licensing and regulating Horses, Ponies, Mules, or Asses standing for Hire in the District, and for prescribing and regulating the Stands, and fixing the Rates of Hire, and ordering the Conduct of the Drivers or Attendants thereof, and also for licensing, regulating, and fixing the Rates of Hire of Pleasure Boats or Vessels, and the Persons in charge of the same.

Application of 5 & 6 W. 4. c. 50. s. 69.

26. Where a Board of Improvement Commissioners, or other Local Authority, exercising any of the Powers of "The Local Government Act, 1858," maintains and repairs the Highways within the Area of its Jurisdiction, the Sixty-ninth Section of the Act of the Fifth and Sixth *William* the Fourth, Chapter Fifty, shall be held to apply to all Encroachments on such Highways.

Repayment of Costs by Provisional Orders.

27. The Provision for the Repayment of Costs, Charges, and Expenses incurred by the Secretary of State in relation to any Provisional Order under the Seventy-fifth Section of "The Local Government Act, 1858," shall extend to all Provisional Orders under the said Act.

No House to be brought forward without Consent of Local Board.

28. It shall not be lawful at any Time or Times hereafter, within the District of any Local Board, to bring forward any House or Building forming Part of any Street, or any Part thereof, beyond the Front Wall of the House or Building on either Side thereof, nor to build any Addition thereto beyond the Front of such House or Building on either Side of the same as aforesaid, without the previous Consent of such Local Board.

Application of General Acts to Local Boards of Health.

29. 'And whereas Doubts exist whether Local Boards of 'Health, constituted under or by virtue of Local Acts, are affected 'by the Provisions of "The Local Government Act, 1858," or by 'the Provisions of "The Nuisances Removal Act for *England*, '1855," and "The Diseases Prevention Act, 1855," and it is 'desirable to remove such Doubts:' Be it therefore enacted, That all the Provisions of "The Local Government Act, 1858," as amended by this Act, and of "The Nuisances Removal Act for *England*, 1855," and "The Diseases Prevention Act, 1855," as amended by the "Act to amend the Acts for the Removal of Nuisances and Prevention of Diseases," which Acts are hereinafter designated the General Acts, shall extend and apply to all Local Boards of Health constituted under or by virtue of Local Acts, with and subject to the Two following Qualifications; (that is to say,)

(1.) Provisions of the General Acts opposed to or restrictive of the Provisions (whether adopted or original) of any such Local Act shall be of no Force in the District for which the Local Act was passed:

(2.) Wherever the General Acts and a Local Act contain Provisions for effecting the same or a similar Object, but in different Modes, the Local Board of Health may proceed under the General Acts or the Local Act:

And

And every future Act for amending or repealing any of the General Acts aforesaid shall, subject to the aforesaid Qualifications, also extend and apply to every such Local Board of Health.

Incorporation and Construction of Acts.

30. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be read as if this Act and the said Local Government Act were One Act.

Short Title.

31. In citing this Act it shall be sufficient to use the Words and Figures "Local Government Act (1858) Amendment Act, 1861."

SCHEDULE.

Local Board of Health for . The
of in the County of .

To the Owner of certain Premises fronting, adjoining, or abutting upon a certain Street called , within the said [Borough *or* District, *as the Case may be*].

Whereas the said Street is not sewered, levelled, paved, flagged, and channelled to the Satisfaction of the above-named Local Board of Health; and whereas your said Premises front, adjoin, or abut on certain Parts of the said Street which require to be sewered, levelled, paved, flagged, and channelled: Now, therefore, the said Local Board of Health hereby give you Notice (in pursuance of the Statute in that Case made and provided) to sewer, level, pave, flag, and channel the same within the Space of [*state the Time*] from the Date hereof, in manner following; (that is to say,) the Sewers to be laid or made [*here describe the Mode to be adopted and Material to be used*], of the Sizes and Forms, and at the Rate or Rates of Inclination shown on the Plans and Sections of the Works as prepared by the Surveyor of the Local Board.

Each Gully for Surface Draining, and its Connection with the Sewer, to be placed as shown on the said Plans, and to be constructed of the Forms, Materials, and Dimensions as shown on the said Plans.

A Foundation for the Carriageway and Footway in the said Street to be formed in the following Manner [*here describe the Mode to be adopted and the Material to be used*], and the said Carriageway and Footway to be paved [*here describe the Mode to be adopted and the Material to be used*].

The Channel Stones to be [*here describe the Mode to be adopted and the Material to be used*]. The Curb or Side Stones to be [*here describe the Mode to be adopted and the Material to be used*].

The whole of the above-mentioned Works to be executed by you in accordance with the Plans and Sections herein-before referred to, and now lying for Inspection by you at the Office of the Local Board, situate in Street, in aforesaid, and the Dimensions, Widths, and Levels shown thereon, and to be done in a good, workmanlike, and substantial Manner, to

to the Satisfaction of the said Local Board of Health or their Surveyor.

Dated this Day of One thousand eight hundred and

Clerk to the said Local Board of Health.

CAP. LXII.

An Act to amend the Act of the Ninth Year of King *George* the Third, Chapter Sixteen, for quieting Possessions and Titles against the Crown, and also certain Acts for the like Object relating to Suits by the Duke of *Cornwall*. [1st *August* 1861.]

'WHEREAS by an Act passed in the Ninth Year of King *George* the Third, Chapter Sixteen, Provision is made for limiting the Right of the King's Majesty to sue and implead any Person for or concerning Lands and Hereditaments, or the Rents, Issues, or Profits thereof, and for quieting Possessions and Titles against the Crown: And whereas the good Purpose of that Act has not been fully obtained by reason of the Provisions therein relating to Lands and Hereditaments which have been in charge to Her Majesty or have stood insuper of Record, and also by reason of certain Provisions therein relating to Lands and Hereditaments Part or Parcel of Honours, Manors, or other Hereditaments:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The Crown not to sue after Sixty Years by reason of Lands having been in charge, &c.

1. The Queen's Majesty, Her Heirs and Successors, shall not at any Time hereafter sue, impeach, question, or implead any Person or Persons for or in anywise concerning any Manors, Lands, Tenements, Rents, Tithes, or Hereditaments whatsoever (other than Liberties or Franchises) which such Person or Persons, or his or their or any of their Ancestors or Predecessors, or those from, by, or under whom they do or shall claim, have, or shall have held or enjoyed or taken the Rents, Revenues, Issues, or Profits thereof by the Space of Sixty Years next before the filing, issuing, or commencing of every such Action, Bill, Plaint, Information, Commission, or other Suit or Proceeding as shall at any Time or Times hereafter be filed, issued, or commenced for recovering the same or in respect thereof, by reason only that the same Manors, Lands, Tenements, Rents, Tithes, or Hereditaments, or the Rents, Revenues, Issues, or Profits thereof, have or shall have been in charge to Her Majesty or Her Predecessors or Successors, or stood insuper of Record, within the said Space of Sixty Years, but that such having been in charge and such standing insuper of Record shall be as against such Person and Persons, and all claiming by, from, or under them or any of them, of no Force and Effect.

2. 'And

Provisions of this Act to apply to Actions by the Duke of Cornwall, and to Provisions of 7 & 8 Vict. c. 105. and 23 & 24 Vict. c. 53.

2. 'And whereas an Act was passed in the Session held in 'the Seventh and Eighth Years of Her Majesty, Chapter One 'hundred and five, "for quieting Titles within the County of '"*Cornwall* as against the Duchy of *Cornwall*, and other Pur-'"poses:" And whereas another Act was passed in the Session 'held in the Twenty-third and Twenty-fourth Years of Her 'Majesty, Chapter Fifty-three, "for the Limitation of Actions '"and Suits by the Duke of *Cornwall* in relation to Real Pro-'"perty, and for other Purposes:" And whereas it is expedient 'that the Limitation applicable to Actions and Suits by the 'Crown should be made applicable to Actions and Suits by the 'Duke of *Cornwall*:' Be it enacted, That the Provisions of this Act herein-before contained applicable to the Queen's Majesty shall extend and be applicable to the Duke of *Cornwall* and to the said Two last-recited Acts, in the same Manner as if the Duke of *Cornwall* were herein-before mentioned or referred to where the Queen's Majesty is mentioned or referred to; and this Act shall be construed together with and be deemed to form Part of the said Two last-recited Acts.

Provision as to the answering of Rent, &c. to the Crown.

3. The Queen's Majesty, Her Predecessors and Successors, shall not be held, deemed, or taken, for the Purposes of the said Act of the Ninth Year of King *George* the Third, to have been answered the Rents, Revenues, Issues, or Profits of any Lands, Manors, Tenements, Rents, Tithes, or Hereditaments which shall have been held or enjoyed, or of which the Rents, Revenues, Issues, or Profits shall have been taken, by any other Persons or Person, by the Space of Sixty Years next before the filing, issuing, or commencing of any such Action, Suit, Bill, Plaint, Information, Commission, or other Suit or Proceeding for recovering the same or in respect thereof, as in the said Act is mentioned, by reason only of the same Lands, Manors, Tenements, Rents, Tithes, or Hereditaments having been Part or Parcel of any Honour or Manor or other Hereditaments of which the Rents, Revenues, Issues, or Profits shall have been answered to Her Majesty or Her Predecessors or Successors, or some other Person under whom Her Majesty hath or lawfully claimeth or shall hereafter have or lawfully claim as aforesaid, or of any Honour, Manor, or other Hereditaments which shall have been duly in charge to Her Majesty, Her Predecessors or Successors, or stood insuper of Record as aforesaid.

Preserving Right to Reversionary Interests.

4. In the Construction of the said Act of the Ninth Year of King *George* the Third and of this Act the Right or Title of the Queen's Majesty, Her Heirs or Successors, or of the Duke of *Cornwall*, to any Manors, Lands, Tenements, Rents, Tithes, or Hereditaments which are now or shall at any Time hereafter be subject to or comprised in any Demise or Lease for any Term or Terms of Years, or for any Life or Lives, granted by or on behalf of Her Majesty, or any of Her Royal Predecessors or Successors, or the Duke of *Cornwall*, shall not be deemed to have first accrued or grown until the Expiration or Determination of such Demise or Lease as against any Person or Persons whose Possession,

Possession, Holding, or Enjoyment of such Manors, Lands, Tenements, Rents, Tithes, or Hereditaments, or whose Receipt of the Rents, Issues, or Profits thereof, shall have commenced during the Term of such Demise or Lease, or who shall claim from, by, or under any Person or Persons whose Possession, Holding, or Enjoyment of such Manors, Lands, Tenements, Rents, Tithes, or Hereditaments, or whose Receipt of the Rents, Issues, or Profits thereof, shall have so commenced as aforesaid.

Act not to apply to existing Suits.

5. Nothing contained in this Act shall extend to any Action, Bill, Plaint, Information, Commission, or other Suit or Proceeding instituted or commenced before the passing of this Act and now pending.

CAP. LXIII.

An Act to enable Grand Juries in *Ireland* to increase the Remuneration of County Surveyors, and for other Purposes. [1st *August* 1861.]

6 & 7 W. 4. c. 116.

'WHEREAS by an Act passed in the Sixth and Seventh Years of King *William* the Fourth, Chapter One hundred and sixteen, certain Provisions are made relating to the Salaries of County Surveyors and of their Assistants in *Ireland*: And whereas it is expedient to make other Provisions relating to the said Offices, and to amend the said Act:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The County Surveyors, &c. (*Ireland*) Act, 1861."

Act incorporated with recited Act.

2. This Act shall be deemed to be incorporated with the said recited Act, and shall be as if the said recited Act (except such Parts thereof as have been amended by this Act) and this Act were One Act.

Interpretation of Terms.

3. In the Construction and for the Purposes of this Act (if not inconsistent with the Context or Subject Matter) the following Terms shall have the respective Meanings herein-after assigned to them; that is to say, "County" shall mean and include Riding, and "Assizes" shall include Presenting Term.

Grand Jury at Summer Assizes held after passing of this Act may resolve that Salary of County Surveyor be altered.

4. It shall be lawful for the Grand Jury of any County mentioned in Schedule A., if they shall so think fit, at any Summer Assizes for such County which shall be held after the passing of this Act, to determine by Resolution that the annual Salary payable to any County Surveyor shall be altered to such annual Salary as such Grand Jury shall think fit, not exceeding the Amount specified in the said Schedule (A.) to this Act annexed

for such County, and the Foreman of the Grand Jury shall endorse on such Resolution the Word "approved," and the Amount of such annual Salary so approved of, and the Secretary of the Grand Jury shall submit the same to the next Presentment Sessions for the County at large.

Grand Jury at next succeeding Assizes may adopt or reject such Application, or agree to it in a modified Form.

5. The Resolution, so endorsed as aforesaid, shall be placed upon the Schedule of Presentments, and considered by the next Presentment Sessions for the County at large, and may be approved of either with or without Modification, or may be rejected; and if such Resolution be approved, either with or without Modification by such Sessions, then it shall be lawful for the Grand Jury at the then next Assizes to determine whether the same shall be adopted; and such Grand Jury may, if they so think fit, determine that the annual Salary payable to such County Surveyor shall be altered to such annual Salary as shall have been so approved as aforesaid, and the Amount of such annual Salary shall be so fixed accordingly; and the Grand Jury at such Assizes and at each succeeding Assizes shall present for each such Surveyor, to be raised off the County at large, the Moiety of such annual Salary for the Half Year last past, and Payment of the same shall be made accordingly, subject to such Provisions with respect to Neglect, Misconduct, or otherwise as are contained with respect to the Salaries of County Surveyors in the said recited Act.

Grand Jury may, on Increase of Salary to County Surveyor, require that he shall not engage in private Practice.

6. It shall be lawful for the Grand Jury of any County in *Ireland*, at any Assizes, if they shall so think fit, in case it shall have been determined that the annual Salary payable to the County Surveyor of such County shall be increased under the Provisions of this Act, to order and direct that such County Surveyor shall not engage in any private professional Practice so long as he shall continue to hold such Office; and in case such Order shall be made by such Grand Jury, the Payment of such Increase of Salary to such County Surveyor shall be subject to the Condition contained in such Order, and may be at any Time withheld if such Condition shall not have been complied with.

Grand Juries may increase Salaries of Assistants to Surveyors.

7. 'And whereas it is provided by the said first-recited Act 'that it shall be lawful for every County Surveyor to appoint so 'many Persons as the Grand Jury of each County shall, with 'reference to the Extent of the County and of the Duties to be 'performed, think necessary to be Assistants to such Surveyors, 'and that each of such Assistants shall be paid such Salary not 'exceeding Fifty Pounds *per Annum* as the Grand Jury shall 'direct:' Be it enacted, That each of such Assistants shall be paid such Salary, not exceeding Eighty Pounds *per Annum*, as such Grand Jury shall direct, and the same shall be presented by the Grand Jury by half-yearly Instalments at each Assizes.

SCHE-

SCHEDULE (A.)

TABLE of CLASSIFICATION of COUNTIES.

	Counties.			
	Class 1.	Class 2.	Class 3.	
Salaries of County Surveyors.	£ 600	£ 500	£ 400	Class 1. comprehends the Counties of East Cork, Down, Antrim, Kerry, Clare, Wexford, West Cork, South Tipperary, Londonderry, and Meath. Class 2. comprehends the Counties of Roscommon, Waterford, Armagh, Kilkenny, North Tipperary, North Donegal, West Galway, Wicklow, Cavan, East Galway, Fermanagh, South Tyrone, Queen's, Sligo, North Tyrone, and Kildare. Class 3. comprehends the Counties of Monaghan, East Limerick, South Donegal, Westmeath, King's, North Mayo, Leitrim, South Mayo, West Limerick, Louth, Carlow, and Longford.

CAP. LXIV.

An Act to continue certain Turnpike Acts in *Great Britain*. [1st *August* 1861.]

'WHEREAS it is expedient to continue for limited Times the Acts herein-after specified:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Continuation of Acts, except 54 G. 3. c. lix., 56 G. 3. c. xiv., 4 G. 4. c. cx., 6 G. 4. c. cxlix., 10 G. 4. c. cxiii.

1. The Acts mentioned in the Schedule to this Act annexed shall continue in force until the First Day of *November* One thousand eight hundred and sixty-two, and no longer, unless Parliament in the meantime continues the same; but every other Act now in force for regulating, making, amending, or repairing any Turnpike Road in *Great Britain* which will expire at or before the End of the next Session of Parliament shall continue in force until the First Day of *November* One thousand eight hundred and sixty-two and to the End of the then next Session of Parliament, except an Act of the Fifty-fourth Year of King *George* the Third, Chapter Fifty-nine, "for continuing and "amending Two Acts of His present Majesty, for repairing the

" Road from the Guide Post at the West End of the Town of " *Hampton*, over *Sunbury Common*, to the Town of *Staines*, in " the County of *Middlesex*;" an Act of the Fifty-sixth Year of King *George* the Third, Chapter Fourteen, "for enlarging the " Term and Powers of an Act of His present Majesty, for re- " pairing and widening the Road from *Preston Candover* to " *Basingstoke*, and from thence to *Alton*, in the County of *South-* " *ampton*;" an Act of the Fourth Year of King *George* the Fourth, Chapter One hundred and ten, "for repairing and " improving the Road leading from *Skipton* in the County of " *York* to *Colne* in the County of *Lancaster*;" an Act of the Sixth Year of King *George* the Fourth, Chapter One hundred and forty-nine, "for repairing, widening, improving, and main- " taining in Repair the Turnpike Roads from *Leeds* to *Halifax*, " and the several Branches and Roads therein mentioned, in the " West Riding of the County of *York*;" and an Act of the Tenth Year of King *George* the Fourth, Chapter One hundred and thirteen, "for continuing certain Powers to the Trustees of the Road " leading from the Borough of *Southwark* to the *Kent Road* in " the County of *Surrey*, called *Great Dover Street*, for the " Purposes therein mentioned."

Short Title.

2. This Act may be cited for all Purposes as "The Annual " Turnpike Acts Continuance Act, 1861."

SCHEDULE

53 G. 3. c. xxiv. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Roads leading from the Parishes of Yoxford, Saxmundham, and Benhall, in the County of Suffolk, to the Town of Aldeburgh in the said County.

54 G. 3. c. xiv. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from Canterbury Lane, within the Liberty of the Town of Folkestone, to a Place in the Parish of Folkestone, called Mudshole, and other Roads therein mentioned, in the County of Kent.

54 G. 3. c. cxxi. An Act for continuing and amending an Act of His present Majesty, for repairing the Road from Dunstable to Hockliffe in the County of Bedford.

55 G. 3. c. lxi. An Act for more effectually repairing the Roads leading into and through the Town of Ross in the County of Hereford, and several Roads communicating therewith.

60 G. 3. and 1 G. 4. c. v. An Act for enlarging the Term and Powers of Two Acts of His late Majesty, for repairing the Road from Buildwas Bridge, to join the Watling Street Road, at Tern Bridge in the County of Salop.

4 G. 4. c. xli. An Act for more effectually repairing the Road from Alfreton in the County of Derby to the Town of Derby.

4 G. 4. c. cxx. An Act for repairing the Roads from Oxdown Gate in Popham Lane to the City of Winchester, and from the said City through Hursley to Chandler's Ford, and from Hursley aforesaid to the Turnpike Road at Romsey, and from the Hundred at Romsey through Chilworth to the River at Swathling in the County of Southampton;

Southampton; and from the said Turnpike Road at Romsey, through Ringwood in the said County, to Longham Bridge and Wimborne Minster in the County of Dorset.

An Act for more effectually repairing and improving the Roads from Sheet Bridge to Portsmouth and from Petersfield to the Alton and Alresford Turnpike Road near Ropley in the County of Southampton, and for making and maintaining a new Branch of Road to communicate therewith. 6 G. 4. c. lxxxvii.

An Act for maintaining and improving certain Roads leading to and from the Town of Cirencester in the County of Gloucester. 6 G. 4. c. cxliii.

An Act for repealing Two Acts for repairing the Roads from Little Sheffield in the County of York to Sparrow Pit Gate in the County of Derby; and also an Act for making a Road from Banner Cross in the West Riding of the County of York to Fox House in the County of Derby; and for consolidating the Trusts of certain Roads mentioned in the said Acts; and for amending and making certain other Roads to communicate therewith; and for other Purposes relating thereto. 6 G. 4. c. cxliv.

An Act for amending, altering, and improving the Roads leading to the Town of Okehampton in the County of Devon, and making and maintaining a certain new Road to communicate therewith. 10 G. 4. c. xviii.

An Act for repairing the Road from Stockershead, at the Top of Charing Hill, to a Place called Bagham's Cross in the Parish of Chilham in the County of Kent. 10 G. 4. c. xxiii.

An Act for making and maintaining a Turnpike Road between the Town of Tarporley in the County Palatine of Chester and the Town of Whitchurch in the County of Salop. 10 G. 4. c. lxxvii.

An Act for improving and maintaining the Road from the Town of Kingston-upon-Hull to Kirk-Ella in the County of the said Town. 10 G. 4. c. xcii.

An Act for better repairing the Second District of Turnpike Roads leading to and from the Town of Bridport in the County of Dorset, and for making and maintaining several Branch Roads to communicate with the same. 11 G. 4. c. v.

An Act for more effectually repairing and improving the Road from Horsham to the Road leading to Guildford at Aldford Cross Ways, with Two Branches therefrom, and for making and maintaining a new Branch of Road to communicate therewith, all in the Counties of Sussex and Surrey. 11 G. 4. c. vi.

An Act for repairing and improving the Road from the Nottingham and Mansfield Turnpike Road, through Kirkby and Pinxton, to Carter Lane, and to the Colliery near Pinxton Green in the Counties of Nottingham and Derby. 11 G. 4. c. vii.

An Act for more effectually repairing and maintaining the Road from New Chappel in the County of Surrey to Ditcheling Bost Hills in the County of Sussex, and from thence to the Town of Brighthelmston in the same County; and also for making and maintaining a Branch of Road from the Town of Ditcheling to Clayton in the County of Sussex. 11 G. 4. c. xviii.

An Act for more effectually repairing and improving the Roads from the Town of Malmesbury to Copped Hall Turnpike, Sutton Benger Church, and Dauntsey Gate, in the County of Wilts. 11 G. 4. c. xix.

11 G. 4. c. xxi. An Act for more effectually repairing, amending, widening, and improving the Road from the West Cowgate, near Newcastle-upon-Tyne, to the Alemouth Turnpike Road in the County of Northumberland, and for making and maintaining other Roads communicating therewith.

11 G. 4. c. xxvi. An Act for maintaining the Road from Catterick Bridge in the County of York by the Towns of Yarm and Stockton, and through the Town of Sedgefield to the City of Durham.

11 G. 4. c. xxx. An Act for more effectually repairing and improving the Road from Bolton-le-Moors to Blackburne in the County Palatine of Lancaster, with Two Branches of Road therefrom, and for making and maintaining a Branch of Road to or near the Village of Lower Darwen.

11 G. 4. c. xxxii. An Act for repairing, amending, and maintaining the Road from Congleton in the County of Chester to a Branch of the Leek Turnpike Road at Thatchmarsh Bottom in the Parish of Hartington in the County of Derby, and from the Lowe to the Havannah Mills in the said County of Chester.

11 G. 4. c. xxxvii. An Act for more effectually repairing the Road from Wootton Bassett in the County of Wilts to the Two-Mile Stone in the Turnpike Road leading from Swindon to Marlborough in the said County.

11 G. 4. c. xxxix. An Act for making a Turnpike Road from the Bridge over the River Bure at Great Yarmouth to Acle (with certain Branches therefrom), all in the County of Norfolk.

11 G. 4. c. lxxxi. An Act for more effectually repairing and improving the Road from Wendover to the Town of Buckingham in the County of Buckingham.

11 G. 4. c. lxxxiv. An Act for altering, improving, diverting, and maintaining the Road from Rotherham to the Four Lane Ends, near Wortley, in the West Riding of the County of York.

11 G. 4. c. lxxxv. An Act for more effectually repairing the Road from Blackburn to Walton Cop within Walton-in-le-Dale in the County of Lancaster.

11 G. 4. c. lxxxviii. An Act for repairing the Turnpike Road from the Top of Whitesheet Hill to the Wilton Turnpike Road at or near Barford in the County of Wilts.

11 G. 4. c. lxxxix. An Act for repairing, altering, and improving the Roads from Ashbourne to Sudbury, and from Sudbury to Yoxall Bridge, and from Hatton Moor to Tutbury, and from Uttoxeter to or near the Village of Draycott-in-the-Clay, and from Hadley Plain on the late Forest or Chase of Needwood to Callingwood Plain on the same late Forest or Chase.

11 G. 4. c. xci. An Act for more effectually repairing and improving the Road from Temple Normanton to Buntingfield Nook in the County of Derby, and the Road from Tupton Nether Green to Stubbing Edge Lane and Knot Cross in the said County.

11 G. 4. c. xcv. An Act for more effectually repairing and improving certain Roads between the Towns of Derby, Mansfield, and Nutthall, in the Counties of Derby and Nottingham.

11 G. 4. c. xcvi. An Act for making and maintaining a new Turnpike Road from the Town of Kingston-upon-Hull in the County of the said Town to Hedon in the County of York.

An

Turnpike Acts Continuance.

An Act for amending and improving the Road from Tonbridge to Ightham, and other Roads communicating therewith, in the County of Kent. 11 G. 4. c. xcix.

An Act for more effectually repairing and improving the Road from Cromford Bridge to the Turnpike Road at or near Langley Mill in the County of Derby. 11 G. 4. c. c.

An Act for more effectually repairing and improving several Roads leading from the Market Cross in the Town of Wareham, and in Purbeck, in the County of Dorset. 11 G. 4. c. ci.

An Act for more effectually repairing and improving the Roads from Saltfleet to the Town of Horncastle, and other Roads therein mentioned, all in the County of Lincoln. 11 G. 4. c. ciii.

An Act for improving and maintaining the Turnpike Roads from the Wirksworth Turnpike Road in the Hamlet of Ideridgehay to the Town of Duffield, and from the Market Place in Wirksworth to the Turnpike Road leading from Derby to Brassington, and from the said Market Place to the Turnpike Road leading from Wirksworth Moor to Matlock Bath, all in the County of Derby. 11 G. 4. c. cv.

An Act for more effectually repairing the Road from the Town of Rickmersworth in the County of Hertford, through the Village of Pinner, to or near the Swan Public House at Sudbury Common, in the Turnpike Road leading from Harrow to London. 11 G. 4. c. cxiii.

An Act for more effectually repairing the Road from Ashborne in the County of Derby to a Messuage or Public House in the Occupation of John Frost, near Belpar Bridge, in the said County of Derby. 11 G. 4. c. cxxx.

CAP. LXV.

An Act to continue the Survey of *Great Britain, Berwick-upon-Tweed,* and the *Isle of Man.* [1st *August* 1861.]

[*Continues* 4 & 5 *Vict. c.* 30., *as amended by* 19 & 20 *Vict. c.* 61., *until December* 31, 1866.]

CAP. LXVI.

An Act to give Relief to Persons who may refuse or be unwilling, from alleged conscientious Motives, to be sworn in Criminal Proceedings. [1st *August* 1861.]

'WHEREAS it is expedient to grant Relief to Persons who may refuse or be unwilling, from alleged conscientious Motives, to be sworn in Criminal Proceedings:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. If any Person called as a Witness in any Court of Criminal Jurisdiction in *England* or *Ireland*, or required or desiring to make an Affidavit or Deposition in the Course of any Criminal Proceeding, shall refuse or be unwilling, from alleged conscientious Motives, to be sworn, it shall be lawful for the Court Persons refusing from conscientious Motives to be sworn in Criminal Pro-

ceedings to be permitted to make a solemn Affirmation or Declaration.

or Judge, or other presiding Officer or Person qualified to take Affidavits or Depositions, upon being satisfied of the Sincerity of such Objection, to permit such Person, instead of being sworn, to make his or her solemn Affirmation or Declaration, in the Words following; *videlicet*,

'I *A.B.* do solemnly, sincerely, and truly affirm and declare, 'That the taking of any Oath is according to my Religious 'Belief unlawful; and I do also solemnly, sincerely, and truly 'affirm and declare,' &c. Which solemn Affirmation and Declaration shall be of the same Force and Effect as if such Person had taken an Oath in the usual Form.

Punishment for making false Affirmation.

2. If any Person making such solemn Affirmation or Declaration shall wilfully, falsely, and corruptly affirm or declare any Matter or Thing which, if the same had been sworn in the usual Form, would have amounted to wilful and corrupt Perjury, every such Person so offending shall incur the same Penalties as by the Laws and Statutes of this Kingdom are or may be enacted or provided against Persons convicted of wilful and corrupt Perjury.

Commencement of Act.

3. This Act shall come into operation on the First Day of *October* in the Year One thousand eight hundred and sixty-one.

CAP. LXVII.

An Act to make better Provision for the Constitution of the Council of the Governor General of *India*, and for the Local Government of the several Presidencies and Provinces of *India*, and for the temporary Government of *India* in the event of a Vacancy in the Office of Governor General. [1st *August* 1861.]

'WHEREAS it is expedient that the Provisions of former 'Acts of Parliament respecting the Constitution and 'Functions of the Council of the Governor General of *India* 'should be consolidated and in certain respects amended, and 'that Power should be given to the Governors in Council of the 'Presidencies of *Fort Saint George* and *Bombay* to make Laws 'and Regulations for the Government of the said Presidencies, 'and that Provision should be made for constituting the like 'Authority in other Parts of Her Majesty's *Indian* Dominions:' Be it therefore declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The *Indian* Councils Act, 1861."

Acts and Parts of Acts repealed.

2. Sections Forty, Forty-three, Forty-four, Fifty, Sixty-six, Seventy, and so much of Sections Sixty-one and Sixty-four as relates to Vacancies in the Office of ordinary Member of the Council of *India*, of the Act of the Third and Fourth Years of King *William* the Fourth, Chapter Eighty-five, for effecting an Arrangement

Arrangement with the *East India* Company, and for the better Government of Her Majesty's *Indian* Territories, till the Thirtieth Day of *April* One thousand eight hundred and fifty-four, Sections Twenty-two, Twenty-three, Twenty-four, and Twenty-six of the Act of the Sixteenth and Seventeenth Years of Her Majesty, Chapter Ninety-five, "to provide for the Government of *India*," and the Act of the Twenty-third and Twenty-fourth Years of Her Majesty, Chapter Eighty-seven, "to remove "Doubts as to the Authority of the Senior Member of the "Council of the Governor General of *India* in the Absence of "the President," are hereby repealed, and all other Enactments whatsoever now in force with relation to the Council of the Governor General of *India*, or to the Councils of the Governors of the respective Presidencies of *Fort Saint George* and *Bombay*, shall, save so far as the same are altered by or are repugnant to this Act, continue in force, and be applicable to the Council of the Governor General of *India* and the Councils of the respective Presidencies under this Act.

Composition of the Council of the Governor General of India.

3. There shall be Five ordinary Members of the said Council of the Governor General, Three of whom shall from Time to Time be appointed by the Secretary of State for *India* in Council, with the Concurrence of a Majority of Members present at a Meeting, from among such Persons as shall have been, at the Time of such Appointment in the Service in *India* of the Crown, or of the Company and the Crown, for at least Ten Years, and if the Person so appointed shall be in the Military Service of the Crown he shall not, during his Continuance in Office as a Member of Council, hold any Military Command, or be employed in actual Military Duties, and the remaining Two, One of whom shall be a Barrister or a Member of the Faculty of Advocates in *Scotland* of not less than Five Years Standing, shall be appointed from Time to Time by Her Majesty by Warrant under Her Royal Sign Manual; and it shall be lawful for the Secretary of State in Council to appoint the Commander-in-Chief of Her Majesty's Forces in *India* to be an extraordinary Member of the said Council, and such extraordinary Member of Council shall have Rank and Precedence at the Council Board next after the Governor General.

Present Members of Council to continue.

4. The present ordinary Members of the Council of the Governor General of *India* shall continue to be ordinary Members under and for the Purposes of this Act; and it shall be lawful for Her Majesty, on the passing of this Act, to appoint by Warrant as aforesaid an ordinary Member of Council, to complete the Number of Five hereby established; and there shall be paid to such ordinary Member, and to all other ordinary Members who may be hereafter appointed, such Amount of Salary as may from Time to Time be fixed for Members of the Council of the Governor General by the Secretary of State in Council, with the Concurrence of a Majority of Members of Council present at a Meeting; and all Enactments of any Act of Parliament or Law of *India* respecting the Council of the Governor General of *India* and the Members thereof shall be held to apply to the said Council

as constituted by this Act, except so far as they are repealed by or are repugnant to any Provisions of this Act.

Power of making provisional Appointments of Members of Council by Secretary of State.

5. It shall be lawful for the Secretary of State in Council, with the Concurrence of a Majority of Members present at a Meeting, and for Her Majesty by Warrant as aforesaid, respectively, to appoint any Person provisionally to succeed to the Office of ordinary Member of the Council of the Governor General, when the same shall become vacant by the Death or Resignation of the Person holding the said Office, or on his Departure from *India* with Intent to return to *Europe*, or on any Event and Contingency expressed in any such Provisional Appointment, and such Appointment again to revoke; but no Person so appointed to succeed provisionally to such Office shall be entitled to any Authority, Salary, or Emolument appertaining thereto until he shall be in the actual Possession of such Office.

Provision on Absence of Governor-General in other Parts of India.

6. Whenever the said Governor General in Council shall declare that it is expedient that the said Governor General should visit any Part of *India* unaccompanied by his Council, it shall be lawful for the said Governor General in Council, previously to the Departure of the said Governor General, to nominate some Member of the said Council to be President of the said Council, in whom, during the Time of such Visit, the Powers of the said Governor General in Assemblies of the said Council shall be reposed, except that of assenting to or withholding his Assent from, or reserving for the Signification of Her Majesty's Pleasure, any Law or Regulation, as herein-after provided; and it shall be lawful in every such Case for the said Governor General in Council, by an Order for that Purpose to be made, to authorize the Governor General alone to exercise all or any of the Powers which might be exercised by the said Governor General in Council in every Case in which the said Governor General may think it expedient to exercise the same, except the Power of making Laws or Regulations.

Provision on Absence of Governor General from Meeting.

7. Whenever the Governor General, or such President so nominated as aforesaid, shall be obliged to absent himself from any Meeting of Council (other than Meetings for the Purpose of making Laws and Regulations, as herein-after provided,) owing to Indisposition or any other Cause whatsoever, and shall signify his intended Absence to the Council, then and in every such Case the senior Member for the Time being who shall be present at such Meeting shall preside thereat, in such Manner, and with such full Powers and Authorities during the Time of such Meeting, as such Governor General or President would have had in case he had been present at such Meeting: Provided always, that no Act of Council made at any such Meeting shall be valid to any Effect whatsoever unless the same shall be signed by such Governor General or President respectively, if such Governor General or President shall at the Time be resident at the Place at which such Meeting shall be assembled, and shall not be prevented by such Indisposition from signing the same: Provided always, that in case such Governor General or President, not being so prevented as aforesaid, shall decline or refuse to sign such

such Act of Council, he, and the several Members of Council who shall have signed the same, shall mutually exchange with and communicate in Writing to each other the Grounds and Reasons of their respective Opinions, in like Manner and subject to such Regulations and ultimate Responsibility as are by an Act of the Thirty-third Year of King *George* the Third, Chapter Fifty-two, Sections Forty-seven, Forty-eight, Forty-nine, Fifty, and Fifty-one, provided and described in Cases where such Governor General shall, when present, dissent from any Measure proposed or agitated in the Council.

Power of Governor General to make Rules for Conduct of Business.

8. It shall be lawful for the Governor General from Time to Time to make Rules and Orders for the more convenient Transaction of Business in the said Council; and any Order made or Act done in accordance with such Rules and Orders (except as hereafter provided respecting Laws and Regulations) shall be deemed to be the Order or Act of the Governor General in Council.

Power to Council to assemble at any Place in India.

9. The said Council shall from Time to Time assemble at such Place or Places as shall be appointed by the Governor General in Council within the Territories of *India*; and as often as the said Council shall assemble within either of the Presidencies of *Fort Saint George* or *Bombay*, the Governor of such Presidency shall act as an extraordinary Member of Council; and as often as the said Council shall assemble within any other Division, Province, or Territory having a Lieutenant Governor, such Lieutenant Governor shall act as an additional Councillor at Meetings of the Council, for the Purpose of making Laws and Regulations only, in manner herein-after provided.

Additional Members to be summoned for the Purpose of making Laws and Regulations.

10. For the better Exercise of the Power of making Laws and Regulations vested in the Governor General in Council, the Governor General shall nominate, in addition to the ordinary and extraordinary Members above mentioned, and to such Lieutenant Governor in the Case aforesaid, such Persons, not less than Six nor more than Twelve in Number, as to him may seem expedient, to be Members of Council for the Purpose of making Laws and Regulations only, and such Persons shall not be entitled to sit or vote at any Meeting of Council, except at Meetings held for such Purpose: Provided that not less than One Half of the Persons so nominated shall be non-official Persons, that is, Persons who, at the Date of such Nomination, shall not be in the Civil or Military Service of the Crown in *India*, and that the Seat in Council of any non-official Member accepting Office under the Crown in *India* shall be vacated on such Acceptance.

Additional Members to be appointed for Two Years.

11. Every additional Member of Council so nominated shall be summoned to all Meetings held for the Purpose of making Laws and Regulations, for the Term of Two Years from the Date of such Nomination.

Resignation of additional Members.

12. It shall be lawful for any such additional Member of Council to resign his Office to the Governor General, and on Acceptance of such Resignation by the Governor General such Office shall become vacant.

13. On

Power to fill up Vacancy in Number of additional Members.

13. On the event of a Vacancy occurring by the Death, Acceptance of Office, or Resignation, accepted in manner aforesaid, of any such additional Member of Council, it shall be lawful for the Governor General to nominate any Person as additional Member of Council in his Place, who shall exercise the same Functions until the Termination of the Term for which the additional Member so dying, accepting Office, or resigning was nominated: Provided always, that it shall not be lawful for him by such Nomination to diminish the Proportion of non-official additional Members herein-before directed to be nominated.

Law not invalid if Number of non-official Members incomplete.

14. No Law or Regulation made by the Governor General in Council, in accordance with the Provisions of this Act, shall be deemed invalid by reason only that the Proportion of non-official additional Members hereby provided was not complete at the Date of its Introduction to the Council or its Enactment.

Senior ordinary Member of Council to preside at Meetings for making Laws, &c. in Absence of Governor General, &c.

Quorum.

15. In the Absence of the Governor General and of the President, nominated as aforesaid, the senior ordinary Member of the Council present shall preside at Meetings of the Council for making Laws and Regulations; and the Power of making Laws and Regulations vested in the Governor General in Council shall be exercised only at Meetings of the said Council at which such Governor General or President, or some ordinary Member of Council, and Six or more Members of the said Council, (including under the Term Members of the Council such additional Members as aforesaid,) shall be present; and in every Case of Difference of Opinion at Meetings of the said Council for making Laws and Regulations where there shall be an Equality of Voices, the Governor General, or in his Absence the President, and in the Absence of the Governor General and President such senior ordinary Member of Council there presiding, shall have Two Votes or the Casting Vote.

Governor General to appoint First Meeting for making Laws and Regulations.

16. The Governor General in Council shall, as soon as conveniently may be, appoint a Place and Time for the First Meeting of the said Council of the Governor General for making Laws and Regulations under this Act, and summon thereto as well the additional Councillors nominated by and under this Act as the other Members of such Council; and until such First Meeting the Powers now vested in the said Governor General of *India* in Council of making Laws and Regulations shall and may be exercised in like Manner and by the same Members as before the passing of this Act.

Power to appoint and adjourn Meetings for making Laws and Regulations.

17. It shall be lawful for the Governor General in Council from Time to Time to appoint all other Times and Places of Meeting of the Council for the Purpose of making Laws and Regulations under the Provisions of this Act, and to adjourn, or from Time to Time to authorize such President, or senior ordinary Member of Council in his Absence, to adjourn any Meeting for the Purpose of making Laws and Regulations from Time to Time and from Place to Place.

Governor General to make Rules for

18. It shall be lawful for the Governor General in Council to make Rules for the Conduct of Business at Meetings of the Council for the Purpose of making Laws and Regulations under the

the Provisions of this Act, prior to the First of such Meetings, but such Rules may be subsequently amended at Meetings for the Purpose of making Laws or Regulations, subject to the Assent of the Governor General; and such Rules shall prescribe the Mode of Promulgation and Authentication of such Laws and Regulations: Provided always, that it shall be lawful for the Secretary of State in Council to disallow any such Rule, and to render it of no effect. Conduct of Business at such Meetings.

19. No Business shall be transacted at any Meeting for the Purpose of making Laws and Regulations, except as last hereinbefore provided, other than the Consideration and Enactment of Measures introduced into the Council for the Purpose of such Enactment; and it shall not be lawful for any Member or additional Member to make or for the Council to entertain any Motion, unless such Motion be for Leave to introduce some Measure as aforesaid into Council, or have reference to some Measure actually introduced thereinto: Provided always, that it shall not be lawful for any Member or additional Member to introduce, without the previous Sanction of the Governor General, any Measure affecting,— Business to be transacted at such Meetings.

1st. The Public Debt or Public Revenues of *India*, or by which any Charge would be imposed on such Revenues:

2d. The Religion or Religious Rites and Usages of any Class of Her Majesty's Subjects in *India*:

3d. The Discipline or Maintenance of any Part of Her Majesty's Military or Naval Forces:

4th. The Relations of the Government with Foreign Princes or States.

20. When any Law or Regulation has been made by the Council at a Meeting for the Purpose of making Laws and Regulations as aforesaid, it shall be lawful for the Governor General, whether he shall or shall not have been present in Council at the making thereof, to declare that he assents to the same, or that he withholds his Assent from the same, or that he reserves the same for the Signification of the Pleasure of Her Majesty thereon; and no such Law or Regulation shall have Validity until the Governor General shall have declared his Assent to the same, or until (in the Case of a Law or Regulation so reserved as aforesaid) Her Majesty shall have signified Her Assent to the same to the Governor General, through the Secretary of State for *India* in Council, and such Assent shall have been duly proclaimed by the said Governor General. Assent of Governor General to Laws made at such Meetings.

21. Whenever any such Law or Regulation has been assented to by the Governor General, he shall transmit to the Secretary of State for *India* an authentic Copy thereof; and it shall be lawful for Her Majesty to signify, through the Secretary of State for *India* in Council, Her Disallowance of such Law; and such Disallowance shall make void and annul such Law from or after the Day on which the Governor General shall make known, by Proclamation or by Signification to his Council, that he has received the Notification of such Disallowance by Her Majesty. Power of the Crown to disallow Laws made at such Meetings.

22. The

Extent of the Powers of the Governor General in Council to make Laws and Regulations at such Meetings.

22. The Governor General in Council shall have Power at Meetings for the Purpose of making Laws and Regulations as aforesaid, and subject to the Provisions herein contained, to make Laws and Regulations for repealing, amending, or altering any Laws or Regulations whatever, now in force or hereafter to be in force in the *Indian* Territories now under the Dominion of Her Majesty, and to make Laws and Regulations for all Persons, whether *British* or Native, Foreigners or others, and for all Courts of Justice whatever, and for all Places and Things whatever within the said Territories, and for all Servants of the Government of *India* within the Dominions of Princes and States in Alliance with Her Majesty; and the Laws and Regulations so to be made by the Governor General in Council shall control and supersede any Laws and Regulations in anywise repugnant thereto which shall have been made prior thereto by the Governors of the Presidencies of *Fort Saint George* and *Bombay* respectively in Council, or the Governor or Lieutenant Governor in Council of any Presidency or other Territory for which a Council may be appointed, with Power to make Laws and Regulations, under and by virtue of this Act: Provided always, that the said Governor General in Council shall not have the Power of making any Laws or Regulations which shall repeal or in any way affect any of the Provisions of this Act:

Or any of the Provisions of the Acts of the Third and Fourth Years of King *William* the Fourth, Chapter Eighty-five, and of the Sixteenth and Seventeenth Years of Her Majesty, Chapter Ninety-five, and of the Seventeenth and Eighteenth Years of Her Majesty, Chapter Seventy-seven, which after the passing of this Act shall remain in force:

Or any Provisions of the Act of the Twenty-first and Twenty-second Years of Her Majesty, Chapter One hundred and six, entitled *An Act for the better Government of* India; or of the Act of the Twenty-second and Twenty-third Years of Her Majesty, Chapter Forty-one, to amend the same:

Or of any Act enabling the Secretary of State in Council to raise Money in the United Kingdom for the Government of *India*:

Or of the Acts for punishing Mutiny and Desertion in Her Majesty's Army or in Her Majesty's *Indian* Forces respectively; but subject to the Provision contained in the Act of the Third and Fourth Years of King *William* the Fourth, Chapter Eighty-five, Section Seventy-three, respecting the *Indian* Articles of War:

Or any Provisions of any Act passed in this present Session of Parliament, or hereafter to be passed, in anywise affecting Her Majesty's *Indian* Territories, or the Inhabitants thereof:

Or which may affect the Authority of Parliament, or the Constitution and Rights of the *East India* Company, or any Part of the unwritten Laws or Constitution of the United Kingdom of *Great Britain* and *Ireland*, whereon may depend in any Degree the Allegiance of any Person to the Crown of the United Kingdom, or the Sovereignty or Dominion of the Crown over any Part of the said Territories.

23. Not-

Governor General may make Ordinances having Force of Law in Cases of urgent Necessity.

23. Notwithstanding anything in this Act contained, it shall be lawful for the Governor General, in Cases of Emergency, to make and promulgate from Time to Time Ordinances for the Peace and good Government of the said Territories or of any Part thereof, subject however to the Restrictions contained in the last preceding Section; and every such Ordinance shall have like Force of Law with a Law or Regulation made by the Governor General in Council, as by this Act provided, for the Space of not more than Six Months from its Promulgation, unless the Disallowance of such Ordinance by Her Majesty shall be earlier signified to the Governor General by the Secretary of State for *India* in Council, or unless such Ordinance shall be controlled or superseded by some Law or Regulation made by the Governor General in Council at a Meeting for the Purpose of making Laws and Regulations as by this Act provided.

No Law, &c. invalid for affecting Prerogative of Crown.

24. No Law or Regulation made by the Governor General in Council (subject to the Power of Disallowance by the Crown, as herein-before provided,) shall be deemed invalid by reason only that it affects the Prerogative of the Crown.

Laws made for the Non-Regulation Provinces declared valid.

25. 'Whereas Doubts have been entertained whether the Governor General of *India*, or the Governor General of *India* in Council, had the Power of making Rules, Laws, and Regulations for the Territories known from Time to Time as "Non-Regulation Provinces," except at Meetings for making Laws and Regulations in conformity with the Provisions of the said Acts of the Third and Fourth Years of King *William* the Fourth, Chapter Eighty-five, and of the Sixteenth and Seventeenth Years of Her Majesty, Chapter Ninety-five, and whether the Governor, or Governor in Council, or Lieutenant Governor of any Presidency or Part of *India*, had such Power in respect of any such Territories:' Be it enacted, That no Rule, Law, or Regulation which prior to the passing of this Act shall have been made by the Governor General, or Governor General in Council, or by any other of the Authorities aforesaid, for and in respect of any such Non-Regulation Province, shall be deemed invalid only by reason of the same not having been made in conformity with the Provisions of the said Acts, or of any other Act of Parliament respecting the Constitution and Powers of the Council of *India* or of the Governor General, or respecting the Powers of such Governors, or Governors in Council, or Lieutenant Governors as aforesaid.

Provision for Leave of Absence to Member of Council.

26. It shall be lawful for the Governor General in Council, or Governor in Council of either of the Presidencies, as the Case may be, to grant to an ordinary Member of Council Leave of Absence, under Medical Certificate, for a Period not exceeding Six Months; and such Member, during his Absence, shall retain his Office, and shall, on his Return and Resumption of his Duties, receive Half his Salary for the Period of such Absence, but if his Absence shall exceed Six Months, his Office shall be vacated.

Power of making temporary Appointments of

27. If any Vacancy shall happen in the Office of an ordinary Member of the Council of the Governor General, or of the Council of either of the Presidencies, when no Person provisionally appointed

Members of Council by Governor General or Governor of a Presidency.

pointed to succeed thereto shall be then present on the Spot, then, and on every such Occasion, such Vacancy shall be supplied by the Appointment of the Governor General in Council, or the Governor in Council, as the Case may be; and until a Successor shall arrive the Person so nominated shall execute the Office to which he shall have been appointed, and shall have all the Powers thereof, and shall have and be entitled to the Salary and other Emoluments and Advantages appertaining to the said Office during his Continuance therein, every such temporary Member of Council foregoing all Salaries and Allowances by him held and enjoyed at the Time of his being appointed to such Office; and if any ordinary Member of the Council of the Governor General, or of the Council of either of the Presidencies, shall, by any Infirmity or otherwise, be rendered incapable of acting or of attending to act as such, or if any such Member shall be absent on Leave, and if any Person shall have been provisionally appointed as aforesaid, then the Place of such Member absent or unable to attend shall be supplied by such Person; and if no Person provisionally appointed to succeed to the Office shall be then on the Spot, the Governor General in Council, or Governor in Council, as the Case may be, shall appoint some Person to be a temporary Member of Council, and, until the Return of the Member so absent or unable to attend, the Person so provisionally appointed by the Secretary of State in Council, or so appointed by the Governor General in Council, or Governor in Council, as the Case may be, shall execute the Office to which he shall have been appointed, and shall have all the Powers thereof, and shall receive Half the Salary of the Member of Council whose Place he supplies, and also Half the Salary of his Office under the Government of *India*, or the Government of either of the Presidencies, as the Case may be, if he hold any such Office, the remaining Half of such last-named Salary being at the Disposal of the Government of *India*, or other Government as aforesaid: Provided always, that no Person shall be appointed a temporary Member of the said Council who might not have been appointed as hereinbefore provided to fill the Vacancy supplied by such temporary Appointment.

Governors of Fort Saint George and Bombay may make Rules, &c.

28. It shall be lawful for the Governors of the Presidencies of *Fort Saint George* and *Bombay* respectively from Time to Time to make Rules and Orders for the Conduct of Business in their Councils, and any Order made or Act done in accordance with such Directions (except as herein-after provided respecting Laws and Regulations) shall be deemed to be the Order or Act of the Governor in Council.

Power to summon additional Members to Council of Fort Saint George and Bombay for Purpose of making Laws and Regulations.

29. For the better Exercise of the Power of making Laws and Regulations herein-after vested in the Governors of the said Presidencies in Council respectively, each of the said Governors shall, in addition to the Members whereof his Council now by Law consists, or may consist, termed herein ordinary Members, nominate to be additional Members the Advocate General of the Presidency, or Officer acting in that Capacity, and such other Persons, not less than Four nor more than Eight in Number, as

to

to him may seem expedient, to be Members of Council, for the Purpose of making Laws and Regulations only, and such Members shall not be entitled to sit or vote at any Meeting of Council, except at Meetings held for such Purpose; provided that not less than Half of the Persons so nominated shall be non-official Persons, as herein-before described, and that the Seat in Council of any non-official Member accepting Office under the Crown in *India* shall be vacated on such Acceptance.

Additional Members appointed for Two Years.

30. Every additional Member of Council so nominated shall be summoned to all Meetings held for the Purpose of making Laws and Regulations for the Term of Two Years from the Date of such Nomination.

Resignation of additional Members.

31. It shall be lawful for any such additional Member of Council to resign his Office to the Governor of the Presidency; and on Acceptance of such Resignation by the Governor of the Presidency such Office shall become vacant.

Power to fill up Vacancy in the Number of additional Members.

32. On the event of a Vacancy occurring by the Death, Acceptance of Office, or Resignation accepted in manner aforesaid, of any such additional Member of Council, it shall be lawful for the Governor of the Presidency to summon any Person as additional Member of Council in his Place, who shall exercise the same Functions until the Termination of the Term for which the additional Member so dying, accepting Office, or resigning was nominated: Provided always, it shall not be lawful for him by such Nomination to diminish the Proportion of non-official Members herein-before directed to be nominated.

Law not invalid from Number of non-official Members being incomplete.

33. No Law or Regulation made by any such Governor in Council in accordance with the Provisions of this Act shall be deemed invalid by reason only that the Proportion of non-official additional Members hereby established was not complete at the Date of its Introduction to the Council or its Enactment.

Senior Civil ordinary Member of Council to preside in Absence of Governor of Presidency.

34. At any Meeting of the Council of either of the said Presidencies from which the Governor shall be absent, the senior Civil ordinary Member of Council present shall preside; and the Power of making Laws and Regulations hereby vested in such Governor in Council shall be exercised only at Meetings of such Council at which the Governor or some ordinary Member of Council, and Four or more Members of Council (including under the Term Members of Council such additional Members as aforesaid), shall be present; and in any Case of Difference of Opinion at Meetings of any such Council for making Laws and Regulations, where there shall be an Equality of Voices, the Governor, or in his Absence the senior Member then presiding, shall have Two Votes or the Casting Vote.

Governor General to fix First Meeting of Councils of Presidencies.

35. The Governor General in Council shall, as soon as conveniently may be, appoint the Time for the First Meeting of the Councils of *Fort Saint George* and *Bombay* respectively, for the Purpose of making Laws and Regulations under this Act, and the Governors of the said Presidencies respectively shall summon to such Meeting as well the additional Councillors appointed by and under this Act as the ordinary Members of the said Councils.

 36. It

Governors of Presidencies to appoint subsequent Meetings.

36. It shall be lawful for every such Governor to appoint all subsequent Times and Places of Meeting of his Council for the Purpose of making Laws and Regulations under the Provisions of this Act, and to adjourn or from Time to Time to authorize such senior ordinary Member of Council in his Absence to adjourn any Meeting for making Laws and Regulations from Time to Time and from Place to Place.

Governors to make Rules and Orders for Conduct of Business at such Meetings.

37. Previously to the First of such Meetings of their Councils for the Purpose of making Laws and Regulations under the Provisions of this Act, the Governors of the said Presidencies in Council respectively shall make Rules for the Conduct of Business at such Meetings, subject to the Sanction of the Governor General in Council; but such Rules may be subsequently amended at Meetings for the Purpose of making Laws and Regulations, subject to the Assent of the Governor: Provided always, that it shall be lawful for the Governor General in Council to disallow any such Rule, and render the same of no Effect.

Business to be transacted at such Meetings.

38. No Business shall be transacted at any Meeting of the Council of either of the said Presidencies for the Purpose of making Laws and Regulations (except as last herein-before provided) other than the Consideration and Enactment of Measures introduced into such Council for the Purpose of such Enactment; and it shall not be lawful for any Member or additional Member to make, or for the Council to entertain, any Motion, unless such Motion shall be for Leave to introduce some Measure as aforesaid into Council, or have reference to some Measure actually introduced thereinto: Provided always, that it shall not be lawful for any Member or additional Member to introduce, without the previous Sanction of the Governor, any Measure affecting the Public Revenues of the Presidency, or by which any Charge shall be imposed on such Revenues.

Governors to assent to Laws &c. of Presidencies.

39. When any Law or Regulation has been made by any such Council at a Meeting for the Purpose of making Laws and Regulations as aforesaid, it shall be lawful for the Governor, whether he shall or shall not have been present in Council at such Meeting, to declare that he assents to, or withholds his Assent from, the same.

Governor General to assent to Laws and Regulations of Presidencies.

40. The Governor shall transmit forthwith an authentic Copy of every Law or Regulation to which he shall have so declared his Assent to the Governor General, and no such Law or Regulation shall have Validity until the Governor General shall have assented thereto, and such Assent shall have been signified by him to and published by the Governor: Provided always, that in every Case where the Governor General shall withhold his Assent from any such Law or Regulation, he shall signify to the Governor in Writing his Reason for so withholding his Assent.

Power of the Crown to disallow Laws and Regulations of Presidencies.

41. Whenever any such Law or Regulation shall have been assented to by the Governor General, he shall transmit to the Secretary of State for *India* an authentic Copy thereof; and it shall be lawful for Her Majesty to signify, through the Secretary of State for *India* in Council, Her Disallowance of such Law or Regulation, and such Disallowance shall make void and annul

such

such Law or Regulation from or after the Day on which such Governor shall make known by Proclamation, or by Signification to the Council, that he has received the Notification of such Disallowance by Her Majesty.

Extent of Power of Governor of Presidency in Council to make Laws and Regulations.

42. The Governor of each of the said Presidencies in Council shall have Power at Meetings for the Purpose of making Laws and Regulations as aforesaid, and, subject to the Provisions herein contained, to make Laws and Regulations for the Peace and good Government of such Presidency, and for that Purpose to repeal and amend any Laws and Regulations made prior to the coming into Operation of this Act by any Authority in *India*, so far as they affect such Presidency: Provided always, that such Governor in Council shall not have the Power of making any Laws or Regulations which shall in any way affect any of the Provisions of this Act, or of any other Act of Parliament in force, or hereafter to be in force, in such Presidency.

Governor of Presidency, except with Sanction of Governor General, not to make or take into consideration certain Laws or Regulations.

43. It shall not be lawful for the Governor in Council of either of the aforesaid Presidencies, except with the Sanction of the Governor General, previously communicated to him, to make Regulations or take into consideration any Law or Regulation for any of the Purposes next herein-after mentioned; that is to say,

1. Affecting the Public Debt of *India*, or the Customs Duties, or any other Tax or Duty now in force and imposed by the Authority of the Government of *India* for the general Purposes of such Government:
2. Regulating any of the current Coin, or the Issue of any Bills, Notes, or other Paper Currency:
3. Regulating the Conveyance of Letters by the Post Office or Messages by the Electric Telegraph within the Presidency:
4. Altering in any way the Penal Code of *India*, as established by Act of the Governor General in Council, No. 42 of 1860:
5. Affecting the Religion or Religious Rites and Usages of any Class of Her Majesty's Subjects in *India*:
6. Affecting the Discipline or Maintenance of any Part of Her Majesty's Military or Naval Forces:
7. Regulating Patents or Copyright:
8. Affecting the Relations of the Government with Foreign Princes or States:

Provided always, that no Law, or Provision of any Law or Regulation which shall have been made by any such Governor in Council, and assented to by the Governor General as aforesaid, shall be deemed invalid only by reason of its relating to any of the Purposes comprised in the above List.

Governor General may establish Councils for making Laws and Regulations in the Presidency of Fort William in Bengal, &c.

44. The Governor General in Council, so soon as it shall appear to him expedient, shall, by Proclamation, extend the Provisions of this Act touching the making of Laws and Regulations for the Peace and good Government of the Presidencies of *Fort Saint George* and *Bombay* to the *Bengal* Division of the Presidency of *Fort William*, and shall specify in such Proclamation the Period at which such Provisions shall take effect, and

the Number of Councillors whom the Lieutenant Governor of the said Division may nominate for his Assistance in making Laws and Regulations; and it shall be further lawful for the Governor General in Council, from Time to Time and in his Discretion, by similar Proclamation, to extend the same Provisions to the Territories known as the North-western Provinces and the *Punjab* respectively.

Constitution of such Councils.

45. Whenever such Proclamation as aforesaid shall have been issued regarding the said Division or Territories respectively, the Lieutenant Governor thereof shall nominate, for his Assistance in making Laws and Regulations, such Number of Councillors as shall be in such Proclamation specified; provided that not less than One Third of such Councillors shall in every Case be non-official Persons, as herein-before described, and that the Nomination of such Councillors shall be subject to the Sanction of the Governor General; and provided further, that at any Meeting of any such Council from which the Lieutenant Governor shall be absent, the Member highest in official Rank among those who may hold Office under the Crown shall preside; and the Power of making Laws and Regulations shall be exercised only at Meetings at which the Lieutenant Governor, or some Member holding Office as aforesaid, and not less than One Half of the Members of Council so summoned as aforesaid, shall be present; and in any Case of Difference of Opinion at any Meetings of such Council for making Laws and Regulations, where there shall be an Equality of Voices, the Lieutenant Governor, or such Member highest in official Rank as aforesaid then presiding, shall have Two Votes or the Casting Vote.

Power to constitute new Provinces, and appoint Lieutenant Governors.

46. It shall be lawful for the Governor General, by Proclamation as aforesaid, to constitute from Time to Time new Provinces for the Purposes of this Act, to which the like Provisions shall be applicable; and further to appoint from Time to Time a Lieutenant Governor to any Province so constituted as aforesaid, and from Time to Time to declare and limit the Extent of the Authority of such Lieutenant Governor, in like Manner as is provided by the Act of the Seventeenth and Eighteenth Years of Her Majesty, Chapter Seventy-seven, respecting the Lieutenant Governors of *Bengal* and the North-western Provinces.

Power to alter Boundaries of Provinces.

47. It shall be lawful for the Governor General in Council, by such Proclamation as aforesaid, to fix the Limits of any Presidency, Division, Province, or Territory in *India* for the Purposes of this Act, and further by Proclamation to divide or alter from Time to Time the Limits of any such Presidency, Division, Province, or Territory for the said Purposes: Provided always, that any Law or Regulation made by the Governor or Lieutenant Governor in Council of any Presidency, Division, Province, or Territory shall continue in force in any Part thereof which may be severed therefrom by any such Proclamation until superseded by Law or Regulation of the Governor General in Council, or of the Governor or Lieutenant Governor in Council of the Presidency, Division, Province, or Territory to which such Parts may become annexed.

48. It

Former Provisions of this Act extended to future Councils.

48. It shall be lawful for every such Lieutenant Governor in Council thus constituted to make Laws for the Peace and good Government of his respective Division, Province, or Territory; and, except as otherwise herein-before specially provided, all the Provisions in this Act contained respecting the Nomination of additional Members for the Purpose of making Laws and Regulations for the Presidencies of *Fort Saint George* and *Bombay*, and limiting the Power of the Governors in Council of *Fort Saint George* and *Bombay* for the Purpose of making Laws and Regulations, and respecting the Conduct of Business in the Meetings of such Councils for that Purpose, and respecting the Power of the Governor General to declare or withhold his Assent to Laws or Regulations made by the Governor in Council of *Fort Saint George* and *Bombay*, and respecting the Power of Her Majesty to disallow the same, shall apply to Laws or Regulations to be so made by any such Lieutenant Governor in Council.

Previous Assent of the Crown necessary to give Validity to any such Proclamation.

49. Provided always, That no Proclamation to be made by the Governor General in Council under the Provisions of this Act for the Purpose of constituting any Council for the Presidency, Division, Provinces, or Territories herein-before named, or any other Provinces, or for altering the Boundaries of any Presidency, Division, Province, or Territory, or constituting any new Province for the Purpose of this Act, shall have any Force or Validity until the Sanction of Her Majesty to the same shall have been previously signified by the Secretary of State in Council to the Governor General.

Provision for the Supply of the Office of Governor General in certain Circumstances.

50. If any Vacancy shall happen in the Office of Governor General of *India* when no provisional Successor shall be in *India* to supply such Vacancy, then and in every such Case the Governor of the Presidency of *Fort Saint George* or the Governor of the Presidency of *Bombay* who shall have been first appointed to the Office of Governor by Her Majesty, shall hold and execute the said Office of Governor General of *India* and Governor of the Presidency of *Fort William* in *Bengal* until a Successor shall arrive, or until some Person in *India* shall be duly appointed thereto; and every such acting Governor General shall, during the Time of his continuing to act as such, have and exercise all the Rights and Powers of Governor General of *India*, and shall be entitled to receive the Emoluments and Advantages appertaining to the Office by him supplied, such acting Governor General foregoing the Salary and Allowances appertaining to the Office of Governor to which he stands appointed, and such Office of Governor shall be supplied for the Time during which such Governor shall act as Governor General, in the Manner directed in Section Sixty-three of the Act of the Third and Fourth Years of King *William* the Fourth, Chapter Eighty-five.

If it appears to Governor necessary to exercise Powers before taking his Seat in Council, he

51. If, on such Vacancy occurring, it shall appear to the Governor, who by virtue of this Act shall hold and execute the said Office of Governor General, necessary to exercise the Powers thereof before he shall have taken his Seat in Council, it shall be lawful for him to make known by Proclamation his Appointment, and his Intention to assume the said Office of Governor General,

may make his Appointment, &c. known by Proclamation.

and after such Proclamation, and thenceforth until he shall repair to the Place where the Council may assemble, it shall be lawful for him to exercise alone all or any of the Powers which might be exercised by the Governor General in Council, except the Power of making Laws and Regulations; and all Acts done in the Exercise of the said Powers, except as aforesaid, shall be of the same Force and Effect as if they had been done by the Governor General in Council; provided that all Acts done in the said Council after the Date of such Proclamation, but before the Communication thereof to such Council, shall be valid, subject nevertheless to Revocation or Alteration by such Governor who shall have so assumed the said Office of Governor General; and from the Date of the Vacancy occurring until such Governor shall have assumed the said Office of Governor General the Provisions of Section Sixty-two of the Act of the Third and Fourth Years of King *William* the Fourth, Chapter Eighty-five, shall be and the same are declared to be applicable to the Case.

Nothing in this Act shall derogate from the Powers of the Crown or Secretary of State for India in Council.

52. Nothing in this Act contained shall be held to derogate from or interfere with (except as herein-before expressly provided) the Rights vested in Her Majesty, or the Powers of the Secretary of State for *India* in Council, in relation to the Government of Her Majesty's Dominions in *India*, under any Law in force at the Date of the passing of this Act; and all Things which shall be done by Her Majesty, or by the Secretary of State as aforesaid, in relation to such Government, shall have the same Force and Validity as if this Act had not been passed.

Meaning of Term "in Council."

53. Wherever any Act or Thing is by this Act required or authorized to be done by the Governor General or by the Governors of the Presidencies of *Fort Saint George* and *Bombay* in Council, it is not required that such Act or Thing should be done at a Meeting for making Laws and Regulations, unless where expressly provided.

Time when Act shall come into operation.

54. Except as herein-before specially provided, this Act shall commence and come into operation as soon as the same shall have been published by the said Governor General in Council by Proclamation.

CAP. LXVIII.

An Act to amend the Laws relating to Attorneys and Solicitors in *Ireland*. [1st *August* 1861.]

'WHEREAS it is expedient to amend the Laws relating to 'Attorneys and Solicitors in *Ireland* in manner herein-'after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpretation of Terms.

1. In the Construction of this Act, unless there be something in the Subject or Context repugnant to such Construction, the Word "Attorney" shall mean Attorney of One or more of the Superior

Superior Courts of Law at *Dublin*, and the Word "Solicitor" shall mean Solicitor of the High Court of Chancery in *Ireland*.

Persons having taken Degrees at certain Universities may be admitted after Three Years Service.

2. Any Person having taken the Degree of Bachelor of Arts or Bachelor of Laws in the University of *Oxford*, *Cambridge*, *Dublin*, *Durham*, or *London*, or in the Queen's University in *Ireland*, or the Degree of Bachelor of Arts, Master of Arts, Bachelor of Laws, or Doctor of Laws in any of the Universities of *Scotland*, none of such Degrees being honorary Degrees, and who at any Time after having taken such Degree, and either before or after the passing of this Act, has been bound by and has duly served under Indentures of Apprenticeship to a practising Attorney or Solicitor for the Term of Three Years, and has been examined and sworn in manner directed by the Rules now in force or hereafter to be made by the Benchers of the Society of the *King's Inns* in *Dublin*, and in accordance with the Practice of the Court of Chancery or Superior Courts of Law in *Ireland*, may be admitted and enrolled as an Attorney or Solicitor, and where any Person has before the passing of this Act, and at any Time after having taken such Degree, been bound as aforesaid for any Period exceeding Three Years, he may, after having duly served Three Years of such Term, in such Manner as would have been required if he had been bound for Three Years only, and having been examined and sworn as aforesaid, and with the Consent in Writing (endorsed on his Indentures of Apprenticeship) of the Attorney or Solicitor to whom he may be bound to the immediate Determination of his Indentures of Apprenticeship, be admitted and enrolled as an Attorney or Solicitor, and where such Consent is given as aforesaid, and acted upon, under this Provision, by the Person hereby made eligible to be admitted and enrolled as aforesaid, the Indentures of Apprenticeship shall be deemed to have determined as if they had determined by Effluxion of Time.

Persons having been at the Bar may be admitted after Three Years Service.

3. Every Person who, either before or after the passing of this Act, has been called to the Degree of Utter Barrister in *Ireland*, and after ceasing to be a Barrister has been bound by Indenture to serve as an Apprentice for any Term exceeding Three Years to a practising Attorney or Solicitor, and has in either of the said Cases continued in such Service for the Term of Three Years, and during the whole of such Three Years served in such Manner as is herein-before required in the Case of Persons who have taken Degrees in the said Universities, and been examined and sworn as aforesaid, after the Expiration of such Term of Three Years, may be admitted and enrolled as an Attorney and Solicitor: Provided always, that in the Case of any such Person as aforesaid who has been bound for a Period exceeding Three Years it shall be necessary for such Term to be determined with Consent, as herein-before provided in the Case of Persons having taken Degrees who may have been bound for a Period exceeding Three Years before the passing of this Act.

Persons having been bonâ fide Clerks to Attorneys or

4. Any Person who, either before or after the passing of this Act, shall for the Term of Ten Years have been a *bonâ fide* Clerk to an Attorney or Solicitor, or Attorneys or Solicitors, and

Solicitors for Ten Years may be admitted after Three Years Service.

and during that Term shall have been *bonâ fide* engaged in the Transaction and Performance, under the Direction and Superintendence of such Attorney or Solicitor, or Attorneys or Solicitors, of such Matters of Business as are usually transacted and performed by Attorneys and Solicitors, and who shall produce to the Examiners satisfactory Evidence that he has faithfully, honestly, and diligently served as such Clerk, and who, after the Expiration of the said Term of Ten Years, and after having been examined as may have been or may be required for the Time being of Persons seeking to become Apprentices to Attorneys or Solicitors, has been bound by and has duly served under Indentures of Apprenticeship to a practising Attorney or Solicitor for the Term of Three Years, and has been examined and sworn in manner mentioned in Clause Two, may be admitted and enrolled as an Attorney and Solicitor; and where any such Person has, before the passing of this Act, been bound for any Period exceeding Three Years, he may, after having duly served Three Years of such Term, in such Manner as would have been required if he had been bound for Three Years only, and having been examined and sworn as mentioned in Section Two, and with the Consent in Writing (endorsed on his Indentures of Apprenticeship) of the Attorney or Solicitor to whom he may be bound to the immediate Determination of his Indentures of Apprenticeship, be admitted and enrolled as an Attorney and Solicitor; and where such Consent is given as aforesaid, and acted upon, under this Provision, by the Person hereby made eligible to be admitted and enrolled as aforesaid, the Indentures of Apprenticeship shall be deemed to have determined as if they had determined by Effluxion of Time.

Certain Apprentices not required to keep Terms.

5. No Apprentice within the Third Section and no Apprentice within the Fourth Section who shall have served Two Years or upwards of the said Term of Ten Years in the *Dublin* Office of an Attorney or Solicitor or Firm of Attorneys or Solicitors shall be required to attend Lectures or keep Terms in *Dublin* during his Apprenticeship.

When the Three or Five Years expire in any Vacation, Examination may take place in Term preceding such Vacation.

6. Whenever any of the Periods of Three Years and Five Years mentioned in this Act (whether the same Period shall have commenced before or after the passing of this Act) shall expire in any Vacation, then and in such Case any Person whose Period of Apprenticeship shall so expire shall be at liberty to pass his Examination in the Term immediately preceding the said Vacation, and at any Time in or after such Vacation; and after the said Period of Apprenticeship shall have expired, the Lord Chancellor of *Ireland*, or the Master of the Rolls, as to the Court of Chancery, and any One of the Judges as to the Courts of Common Law at *Dublin*, on being satisfied by Affidavit or otherwise that the Period of Apprenticeship of such Person has expired, may proceed to administer to him the Oath or Oaths usually taken in *Ireland* by Apprentices before being admitted, and may do and direct all other Acts necessary for or towards the Admission and Enrolment of such Person as an Attorney and Solicitor, as provided by any Act or lawful Regulation in that Behalf.

7. Nothing

7. Nothing in this Act contained shall prejudice or take away any Right or Power now possessed by any Court of Law or Equity, or by any of the Judges of such Courts, or by the Benchers of the Society of *King's Inn*, to dispense in any particular Case with any of the Rules or Conditions relating to the Admission or Examination of Attorneys or Solicitors, or Apprentices. Not to prejudice Power of Courts, &c. to dispense with Rules.

8. This Act shall only extend to *Ireland*, save as herein otherwise expressly provided. Extent of Act.

CAP. LXIX.

An Act to provide for the Formation of Tramways on Turnpike and Statute Labour Roads in *Scotland*.

[1st *August* 1861.]

'WHEREAS it would be of great public and local Advantage if Provision were made for the Formation of Tramways on Turnpike and Statute Labour Roads in *Scotland*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited for all Purposes as "The Tramways (*Scotland*) Act, 1861." Short Title.

2. The following Words in this Act shall have the several Meanings hereby assigned to them: Interpretation of Terms.

The Word "Trustees" shall mean the Trustees for the Time being appointed and acting under any Local Turnpike or Statute Labour Road Act in *Scotland*:

The Word "Clerk" shall mean the Clerk for the Time being to such Trustees:

The Word "Tramways" shall mean and include any Tramroad or Tramway, whether temporary or permanent, formed of Iron, Stone, or other Material, and laid down level with the Surface on any Turnpike or Statute Labour Road under the Provisions of this Act.

With respect to the Formation of Tramways on Turnpike Roads:

3. Any Two Trustees may, by a Requisition under their Hands, require the Clerk to call a Special Meeting of the Trustees for any Day and Hour specified in such Requisition, not being earlier than Twenty-one Days after the Date thereof, for the Purpose of considering the Expediency of forming Tramways on the Roads under their Management, or any Part thereof; and within Three Days after the Receipt of such Requisition the Clerk shall call such Special Meeting, to be held at the Time specified therein, and at the Place where the Meetings of the Trustees are usually held; and Notice of such Meeting, and of the special Purpose thereof, shall be given by Advertisement inserted once in each of Two successive Weeks in a Newspaper published in the County in which such Roads are situated, or if there Special Meeting of Trustees may be called to consider the Expediency of laying down Tramways.

there be no Newspaper published therein, in a Newspaper published in an adjoining County.

Trustees may remit to their Surveyor or to an Engineer to prepare Plans of Tramways and Estimate of Expense.

4. If the Trustees present at such Special Meeting shall resolve that it is expedient to form Tramways on the Roads under their Management, or any Part thereof, they may remit to their Surveyor, or to any Engineer to be named by them, to prepare Plans of the proposed Tramways, showing the Extent thereof, and the Mode in which the same are to be formed, and the Portions of the Roads to be occupied thereby, with an Estimate of the Expense of such Tramways; and such Plans and Estimate of Expense shall be lodged with the Clerk, for the Inspection of the Trustees, at least One Month previous to the General or Special Meeting before which the same are to be laid.

Plans and Estimate to be laid before General or Special Meeting of Trustees.

5. The Plans and Estimate of Expense prepared by such Surveyor or Engineer shall be laid before any General Meeting of the Trustees convened under the Provisions of the General Turnpike Road Act for *Scotland*, First and Second *William* the Fourth, Chapter Forty-three, or of any Local Act under which the Trustees are appointed and acting, or before a Special Meeting of the Trustees to be called in the Manner provided by the said General Turnpike Road Act; and the Trustees present at such General or Special Meeting may approve or disapprove of such Plans and Estimate of Expense, or may direct such Alterations to be made thereon as they may deem necessary, and may resolve to proceed or not to proceed with the Formation of the Tramways as they may think fit.

Tramways may be laid down according to Plans.

6. On such Plans and Estimate being finally approved by the Trustees at any General or Special Meeting, as the Case may be, it shall be lawful for the Trustees to form and lay down the Tramways in the Manner described on such Plans, and on the Roads included therein, or on the Sides of such Roads.

Tramways to form Part of Roads.

7. The Tramways shall be laid down on the Surface of the Roads or on the Sides thereof, and shall form Part of the Roads, and, subject to the Provisions of this Act, all the Enactments of the said General Turnpike Road Act, and of any Local Act relating to the Road on which the Tramways are laid down, shall be applicable to the Tramways, in the same Manner and to the same Effect as such Enactments are applicable to such Roads.

Expense of forming and maintaining Tramways, how to be defrayed.

8. The Expense of forming and laying down the Tramways, and incidental thereto, shall be defrayed out of the Tolls and Revenues of the Roads under the Management of the Trustees, or out of Money to be borrowed on the Credit of such Tolls and Revenues; and it shall be lawful for the Trustees to borrow Money for the Purpose of defraying such Expense, and to grant Assignations of such Tolls and Revenues in Security of the Payment of the Money so to be borrowed, in the Manner provided by the said General Turnpike Road Act; any Provision or Restriction with respect to the Power of borrowing Money contained in any Local Act relating to such Roads to the contrary notwithstanding; and the Expense of maintaining, managing, and repairing the Tramways shall be defrayed by the Trustees out

out of the Tolls and Revenues of such Roads: Provided that it shall not be lawful for the Trustees to apply any Part of such Tolls and Revenues in defraying the Expense of forming the Tramways, or to borrow Money for that Purpose on the Security of such Tolls and Revenues, without the Consent in Writing of the Persons entitled to Two Thirds of the Money borrowed and remaining due on the Credit of such Tolls and Revenues.

Tolls for Use of Tramways.

9. It shall be lawful for the Trustees, with the Powers and Authorities and subject to the Provisions and Exemptions contained in the said General Turnpike Road Act, and in any Local Act relating to the Roads on which the Tramways are formed, to demand and take or cause to be demanded and taken, for and in respect of all Carts, Waggons, and Carriages using or passing over the Tramways, the same Tolls as are levied for the Time being under the Provisions of such Acts for and in respect of Carts, Waggons, and Carriages using or passing over such Roads; and the Tolls levied and received on and in respect of the Tramways shall be held and applied by the Trustees for the same Uses and Purposes as the Toll Duties levied and received on and in respect of such Roads: Provided always, that any Cart, Waggon, or Carriage using or passing over the Tramways for any Distance exceeding One hundred Yards shall be liable to the same Toll as if such Cart, Waggon, or Carriage had passed through a Toll Gate on such Roads; and the Tolls payable for and in respect of Carts, Waggons, and Carriages so using or passing over the Tramways, and not passing through a Toll Gate, may be sued for and recovered in the same Manner as Toll Duties may be sued for and recovered under the Provisions of the said General Turnpike Road Act, which are hereby made applicable to the Tolls payable for and in respect of the Use of the Tramways: Provided also, that any Cart, Waggon, or Carriage using or passing over the Tramways or any Part thereof, and thereafter passing through a Toll Gate on the Road on which the Tramways are formed, shall only be liable to pay a single Toll, in the same Manner as if such Cart, Waggon, or Carriage had used or passed over such Road.

Trustees may compound for Tolls on Tramways.

10. It shall be lawful for the Trustees to compound and agree, for any Term not exceeding One Year at any One Time, with any Person or Company using the Tramways or any Part thereof exceeding One hundred Yards in Length, for the passing of his or their Carts, Waggons, or Carriages over the Tramways: Provided that such Compositions and Agreements shall be subject to all the Provisions with respect to Compositions for Tolls contained in the Fifty-third Section of the said General Turnpike Road Act.

Trustees may make Regulations for Use of Tramways.

11. The Trustees may make such Regulations for and with respect to the Use of the Tramways as they think fit; and such Regulations shall be published by printed Copies thereof being affixed on Boards to be set up at each End of the Tramways or at the Toll Gates nearest thereto; and every Person who commits any Breach or Contravention of such Regulations shall be liable to a Penalty not exceeding Five Pounds for each Offence; and such

such Penalties may be sued for, imposed, and recovered in the Manner provided by the said General Turnpike Road Act.

With respect to the Formation of Tramways on Statute Labour Roads:

Tramways may be formed on Statute Labour Roads.

12. In the event of any Application being made to the Trustees of any Statute Labour Road by any Person or Company desiring to form Tramways on such Road, the Trustees may, at any General or Special Meeting convened under the Provisions of the General Statute Labour Road Act for *Scotland*, Eighth and Ninth *Victoria*, Chapter Forty-one, or of any Local Act under which the Trustees are appointed and acting, authorize such Person or Company to form the Tramways; and on such Authority being granted it shall be lawful for such Person or Company, at his or their own Expense, to form and lay down the Tramways to such Extent, in such Manner, and on such Terms as shall be agreed upon and approved by the Trustees or their Surveyor.

Tramways to form Part of Roads.

13. The Tramways shall be laid down on the Surface of the Roads or on the Sides thereof, and shall form Part of the Roads, and may be used by all Carts, Waggons, and Carriages passing over the Roads; and subject to the Provisions of this Act, all the Enactments of the said General Statute Labour Road Act and of any Local Act relating to the Roads on which the Tramways are laid down shall be applicable to the Tramways, in the same Manner and to the same Effect as such Enactments are applicable to such Roads; and the Expense of maintaining, managing, and repairing the Tramways shall be defrayed by the Trustees out of the Funds and Revenues under their Management, or by the Person or Company by whom the same were laid down, or jointly by the Trustees and such Person or Company, as may be agreed upon.

Trustees may make Regulations for Use of Tramways.

14. The Trustees may make such Regulations for and with respect to the Use of the Tramways as they think fit; and before taking effect such Regulations shall be published by printed Copies thereof being affixed on Boards to be set up at each End of the Tramways; and every Person who commits any Breach or Contravention of such Regulations shall be liable to a Penalty not exceeding Five Pounds for each Offence; and such Penalties may be sued for, imposed, and recovered in the Manner provided by the said General Statute Labour Road Act.

Tramways may be removed.

15. It shall be lawful for the Person or Company by whom the Tramways on any Statute Labour Road were laid down, or his or their Heirs or Successors, and they are hereby required to take up and remove the same at such Time as shall have been agreed on with the Trustees: Provided that on the Tramways being so removed the Road on which the same were laid down shall, to the Satisfaction of the Trustees or their Surveyor, be restored by such Person or Company, or his or their Heirs or Successors, at his or their own Expense, to the same State and Condition, as nearly as may be, in which such Road was at the Time of laying down the Tramways.

Tramways not to be made without Consent.

16. Nothing in this Act contained shall authorize the Trustees to form or lay down Tramways within the Municipal or Parliamentary Boundaries of any Royal or Parliamentary Burgh, without

without the Consent in Writing of the Magistrates and Council of such Burgh first had and obtained.

Tramways to be kept in constant good Order, and Trustees may acquire Right to them when proposed to be removed.

17. The Person or Company by whom the Tramways on any Statute Labour Road shall have been laid down, and their Heirs and Successors, shall maintain such Tramways, while unremoved, in constant good Order for Traffic at the Sight and to the Satisfaction of the Surveyor; and when they shall propose to remove the same as aforesaid, the Trustees shall be entitled to acquire all Right therein belonging to such Person or Company, or their Heirs and Successors, on Payment to them of such Sum as the same may be valued at by Valuators agreed on by the Trustees and such Person or Company, or their Heirs and Successors, or, failing such Agreement, by any Valuator or Valuators appointed by the Sheriff of the County on the Application of either Party.

CAP. LXX.

An Act for regulating the Use of Locomotives on Turnpike and other Roads, and the Tolls to be levied on such Locomotives and on the Waggons and Carriages drawn or propelled by the same. [1st *August* 1861.]

'WHEREAS the Use of Locomotives is likely to become common on Turnpike and other Roads: And whereas the General Turnpike and Highway Acts and many of the Local Turnpike Acts do not contain any Provisions for regulating the Use of Locomotives on the Roads to which they respectively apply, nor do they authorize the levying of Tolls upon or in respect of any Locomotive using the Roads, or upon or in respect of any Waggon or Carriage drawn by Locomotives: And whereas under and by virtue of certain Local Turnpike Acts Tolls may be levied upon Locomotives and other Engines drawing or propelling Waggons or Carriages, or upon the Waggons or Carriages so drawn or propelled, which are or may be prohibitory of the Use of Locomotives on the Roads to which the said Acts respectively apply: And whereas the Weighing Clauses in the General Turnpike Acts have not been framed in anticipation of Traffic by Locomotives, and are in many respects ill adapted to the profitable carrying of Goods, or to the levying of just and adequate Tolls upon Waggons or Carriages drawn by Locomotives: And whereas it is desirable that the Use of Locomotives on Turnpike and other Roads should be regulated by uniform general Provisions, and that Tolls should be levied upon such Locomotives and the Waggons or Carriages drawn by such Locomotives upon Turnpike Roads:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Scale of Tolls to be taken after passing of this Act.

1. From and after the passing of this Act, all Trustees, Corporations, Commissioners, and other Persons acting under and in execution of any existing General or Local Turnpike Road Act

Act or Public Bridge Act shall demand and take Tolls not exceeding the Tolls following; that is to say,

For every Locomotive propelled by any Power, containing within itself the Machinery for its own Propulsion, such a Toll for every Two Tons Weight or fractional Part of every Two Tons Weight that such Locomotive shall weigh as shall be equal to the Toll or Tolls by their respective Acts made payable for every Horse drawing any Waggon, Wain, Cart, or Carriage with Wheels of a Width similar to those of such Locomotive; or in the Case of a Toll by any such Act made payable being charged on the Horse or Horses drawing any such Waggon, Wain, Cart, or Carriage, without reference to the Width of the Wheels thereof, then such a Toll for every Two Tons or fractional Part thereof that such Locomotive shall weigh as shall be equal to One Horse drawing such Waggon, Wain, Cart, or Carriage; which Tolls respectively shall be payable so often as Tolls made payable as aforesaid for such Waggon, Wain, Cart, or Carriage shall be payable at the same Gate: Provided always, that if the Wheels of such Locomotive shall rest upon any Shoe or other Bearing the Surface of which shall bear upon the Ground so as to prevent the Wheels coming in contact therewith, such and the same Tolls only shall be demanded and payable as if the Wheels thereof were of a Width similar to such Shoe or Bearing:

For every Waggon, Wain, Cart, or Carriage drawn or propelled by any Locomotive, for each Pair of Wheels thereof such a Toll as shall not exceed the Toll by their respective Acts made payable for Two Horses drawing any Waggon, Wain, Cart, or Carriage with Wheels of a similar Width, and for every additional Wheel thereof One Half Toll in addition to the said Toll; or in the Case of a Toll by any such Act made payable being charged on the Horse or Horses drawing any such Waggon, Wain, Cart, or Carriage, without reference to the Width of the Wheels thereof, then such a Toll for each Wheel as shall be equal to One Horse drawing such Waggon, Wain, Cart, or Carriage; which said Toll or Tolls shall be payable so often as the Toll made payable as aforesaid for such Waggon, Wain, Cart, or Carriage drawn by Horses shall be payable at the same Gate:

Provided always, that in every Case where the Wheels of any Waggon, Wain, Cart, or Carriage shall not all be cylindrical, as described in the Act of the Third Year of *George* the Fourth, Chapter One hundred and twenty-six, Section Nine, the Toll payable in respect thereof shall be One Half more.

Repeal of former Enactments as to Tolls to be taken for Locomotives.

2. All Clauses and Provisions in any Local or General Turnpike Road Act or public Bridge Act authorizing Tolls to be demanded or taken upon Locomotives or Carriages drawn by Steam or any other than Animal Power, different to the Tolls herein provided for, shall, so far as the same relate to such Tolls, be and the same are hereby repealed: Provided always, that this Enactment shall not be deemed or construed to extend

to

to any Tolls authorized to be taken in respect of any private Roads or private Bridges, or to the Roads comprised in "The *Commercial* Roads Continuation Act, 1849."

As to the Size and Weight of Locomotives.

3. Every Locomotive propelled by Steam or any other than Animal Power, not drawing any Carriage, and not exceeding in Weight Three Tons, shall have the Tires of the Wheels thereof not less than Three Inches in Width, and for every Ton or fractional Part thereof additional Weight the Tires of the Wheels thereof shall be increased One Inch in Width; and every Locomotive drawing any Waggon or Carriage shall have the Tires of the Wheels thereof not less than Nine Inches in Width; but no Locomotive shall exceed Seven Feet in Width or Twelve Tons in Weight, except as herein-after provided; and the Wheels of every Locomotive shall be cylindrical and smooth soled, or used with Shoes or other bearing Surface of a Width not less than Nine Inches; and the Owner or Owners of any Locomotive used contrary to the foregoing Provisions shall for every such Offence, on summary Conviction, forfeit any Sum not exceeding Five Pounds: Provided always, that whereas it may be desirable that Locomotives of a greater Width than Seven Feet and of a greater Weight than Twelve Tons should be allowed to be used under certain Circumstances, any Person desiring to use any such Locomotive on any Street or public Highway within the City of *London* or the Liberties thereof, or within the Limits of the Metropolis as defined by the Act of the Eighteenth and Nineteenth Years of Her present Majesty, for the better Local Management of the Metropolis, or within any other City or Municipal or Parliamentary Borough, or on any Turnpike Road or other public Highway, shall apply within the City of *London* to the Lord Mayor for the Time being, or within any Municipal or Parliamentary Borough in *Scotland* to the Lord Provost or other Chief Magistrate thereof, and in other Places to the Corporation, Commissioner, Trustees, and Surveyors, or other Persons having the Charge of any such Street, Highway, Turnpike, or other Road over which it may be proposed to work such Locomotive, for Permission to use the same; and the said Lord Mayor, the said Lord Provost or Chief Magistrate, or such Corporation, Commissioners, Trustees, Surveyor, and other Persons as aforesaid, shall have Power to authorize such Locomotive to be used on such Road or Roads, or Part of any Road or Roads, and under such Condition or Conditions as to them may appear desirable; but in the Case of the Surveyor or Surveyors of any Highway in *England* no such Permission shall be valid without also it be approved by the Justices acting in Petty Sessions for any Petty Sessional Division within which it is proposed to use such Locomotive.

As to the Weight on each Pair of Wheels.

4. It shall not be lawful for any Waggon, Wain, Cart, or other Carriage so drawn or propelled as aforesaid, not having cylindrical Wheels, to carry any greater Weight than is permitted in such Waggon, Wain, Cart, or Carriage by the General Turnpike Act; and it shall not be lawful for any Waggon, Wain, Cart, or other Carriage having cylindrical Wheels to carry, over or above the

the Weight of the Waggon, Wain, Cart, or Carriage, any greater Weight than One Ton and a Half for each Pair of Wheels, unless the Fellies, Tires, or Shoes are Four Inches or more in Breadth; nor to carry a greater Weight than Two Tons for each Pair of Wheels, unless the Fellies, Tires, or Shoes are Six Inches or more in Breadth; nor to carry a greater Weight than Three Tons for each Pair of Wheels, unless the Fellies, Tires, or Shoes are Eight Inches or more in Breadth; and for every single Wheel One Half of that permitted to be carried on a Pair of Wheels; nor in any Case to carry a greater Weight than Four Tons on each Pair of Wheels, or Two Tons on each Wheel; but if such Waggons, Wains, or other Carriages are built and constructed with Springs upon each Axle, then they shall be allowed to carry One Sixth more Weight in addition to the above-mentioned Weights upon each Pair of Wheels: Provided always, that the Regulation of Weight herein mentioned and provided shall not extend to any Waggon, Wain, Cart, or other Carriage carrying only One Tree or One Log of Timber, or One Block of Stone, or One Cable or Rope, or One Block, Plate, Roll, or Vessel of Iron or other Metal, or compounded of any Two or more Metals cast, wrought, or united in One Piece.

Power to Secretary of State to prohibit the Use of Locomotives destructive to Highways or dangerous to the Public.

5. In case it appear to One of Her Majesty's Principal Secretaries of State that the Use of any particular Description of Locomotive causes excessive Wear and Tear of the Highways, or is dangerous or inconvenient to the Public, or that the Use of Locomotives generally or of any particular Description of Locomotive is dangerous or inconvenient to the Public in certain Districts or Places, it shall be lawful for such Secretary of State from Time to Time, by Order under his Hand, to prohibit the Use of any Kind or Description of Locomotive specified in such Order on any Highway whatsoever, or to prohibit the Use of Locomotives, or any specified Kind or Description thereof, on the Highways within any Place, District, or Limit mentioned in such Order, or otherwise to restrict the Use of Locomotives as Circumstances may appear to him to require, and from Time to Time, by Order made as aforesaid, to revoke or alter any such Order previously made; and every Order made under this Enactment shall be published in the *London Gazette*, and any Person using any Locomotive contrary to any such Order shall for every such Offence, on summary Conviction thereof before Two Justices, forfeit any Sum not exceeding Ten Pounds.

Use of Locomotives restricted over Suspension and other Bridges.

6. It shall not be lawful for the Owner or Driver of any Locomotive to drive it over any Suspension Bridge nor over any Bridge on which a conspicuous Notice has been placed, by the Authority of the Surveyor or Persons liable to the Repair of the Bridge, that the Bridge is insufficient to carry Weights beyond the ordinary Traffic of the District, without previously obtaining the Consent of the Surveyor of the Road or Bridgemaster under whose Charge such Bridge shall be for the Time being, or of the Persons liable to the Repair of such Bridge; and in case such Owner of the Locomotive and Surveyor of the Road or Bridge, or Bridgemaster, shall differ in opinion as to the Sufficiency of any

Bridge

Bridge to sustain the Transit of the Locomotive, then the Question shall be determined by an Officer to be appointed, on the Application of either Party, by One of Her Majesty's Principal Secretaries of State, whose Certificate of Sufficiency of such Bridge shall entitle the Owner of the Locomotive to take the same over such Bridge.

Damage caused by Locomotives to Bridges to be made good by Owners.

7. Where any Turnpike or other Roads, upon which Locomotives are or hereafter may be used, pass or are or shall be carried over or across any Stream or Watercourse, navigable River, Canal, or Railway, by means of any Bridge or Arch (whether stationary or moveable), and such Bridge or Arch, or any of the Walls, Buttresses, or Supports thereof, shall be damaged by reason of any Locomotive or any Waggon or Carriage drawn or propelled by or together with a Locomotive passing over the same or coming into Contact therewith, none of the Proprietors, Undertakers, Directors, Conservators, Trustees, Commissioners, or other Person interested in or having the Charge of such navigable River, Canal, or Railway, or the Tolls thereof, or of such Bridge or Arch, shall be liable to repair or make good any Damage so to be occasioned, or to make Compensation to any Person for any Obstruction, Interruption, or Delay which may arise therefrom to the Use of such Bridge or Arch, navigable River, Canal, or Railway, but every such Damage shall be forthwith repaired to the Satisfaction of the Proprietors, Undertakers, Directors, Conservators, Trustees, Commissioners, or other Persons as aforesaid respectively interested in or having the Charge of such River, Canal, or Railway, or the Tolls thereof, or of such Bridge or Arch, by and at the Expense of the Owner or Owners or the Person or Persons having the Charge of such Locomotive at the Time of the happening of such Damage; and all such Owner and Owners, Person and Persons having the Charge of such Locomotive as aforesaid, shall also be liable, both jointly and severally, to reimburse and make good, as well to the Proprietors, Undertakers, Directors, Conservators, Trustees, Commissioners, and other Persons interested in or having the Charge of any such navigable River, Canal, or Railway, or the Tolls thereof, or of such Bridge or Arch, as to all Persons navigating on or using, or who but for such Obstruction, Interruption, or Delay would have navigated on or used the same, all Losses and Expenses which they or any of them may sustain or incur by reason of any such Obstruction, Interruption, or Delay, such Losses and Expenses to be recoverable by Action at Law, which Action, in case of such Proprietors, Undertakers, Directors, Conservators, Trustees, Commissioners, or other Persons so interested as aforesaid, may be brought in the Name or Names of their Agent or Agents, Clerk or Clerks for the Time being, or by any Person or Persons legally authorized to act in their Behalf.

Locomotives propelled by Steam to consume their own Smoke.

8. Every Locomotive propelled by Steam or any other than Animal Power to be used on any Turnpike Road or public Highway shall be constructed on the Principle of consuming and so as to consume its own Smoke; and any Person using any Locomotive not so consuming its own Smoke shall, on Conviction

tion thereof before any Two of Her Majesty's Justices of the Peace, forfeit any Sum not exceeding Five Pounds for every Day during which such Locomotive shall be used on any such Turnpike Road or public Highway.

As to the Number of Persons in charge of Locomotive and Waggons.

9. It shall not be lawful for any Owner of such Locomotive, either in his own Person or by his Servants, to use any such Locomotive, Waggon, or Carriage on the Turnpike or other Roads, except there be at the least Two Persons to drive or conduct such Locomotive, and if more than Two such Waggons or Carriages be attached to such Locomotive, One Person to take charge of such Waggons and Carriages; and any Person in charge of such Locomotive shall provide Two efficient Lights, to be affixed conspicuously, One at each Side, on the Front of the same, between the Hours of One Hour after Sunset and One Hour before Sunrise; and any Person acting contrary hereto shall for every such Offence, on summary Conviction thereof before Two Justices, forfeit any Sum not exceeding Five Pounds.

Lights to be used at Night.

Exemption from Tolls of Waggons, &c.

10. All Waggons, Wains, Carts, or Carriages, as herein-before described, drawn by any Locomotive, and loaded with any Materials such as are now exempt from Toll under the Provisions of any General or Local Act, shall be entitled to the same Exemption as they would be if drawn by Animal Power.

Limit of Speed of Locomotives on public Highways, &c.

11. It shall not be lawful to drive any Locomotive along any Turnpike Road or public Highway at a greater Speed than Ten Miles an Hour, or through any City, Town, or Village at a greater Speed than Five Miles an Hour; and any Person acting contrary hereto shall for every such Offence, on summary Conviction thereof before Two Justices, if he be not the Owner of such Locomotive, forfeit any Sum not exceeding Five Pounds, and if he be the Owner thereof, shall forfeit any Sum not exceeding Ten Pounds.

Provisions of General Acts relating to Turnpike Roads to apply to Locomotives.

12. All the Clauses and Provisions of any General or Local Acts relating to Turnpike Roads or Highways shall, so far as the same are not expressly altered or repealed by or are not inconsistent with the Provisions of this Act, apply to all Locomotives propelled by other than Animal Power, and to all Waggons, Wains, Carts, and Carriages of any other Description drawn by such Locomotive, and to the Owners, Drivers, and Attendants thereof, in like Manner as if drawn by Animal Power: Provided always, that the Weight of every Locomotive, and the Name of the Owner or Owners thereof, shall be conspicuously and legibly affixed thereon; and any Owner not having affixed such Weight and such Name shall, upon Conviction thereof before Two Justices, forfeit any Sum not exceeding Five Pounds; and any Owner who shall fraudulently affix thereon any incorrect Weight shall, upon Conviction thereof, forfeit any Sum not exceeding Ten Pounds.

Right of Action in case of Nuisance.

13. Nothing in this Act contained shall authorize any Person to use upon a Highway a Locomotive Engine which shall be so constructed or used as to cause a public or private Nuisance; and every such Person so using such Engine shall, notwithstanding this Act, be liable to an Indictment or Action, as the Case may

may be, for such Use, where, but for the passing of this Act, such Indictment or Action could be maintained.

14. This Act may be cited as the "Locomotive Act, 1861." Short Title.

15. This Act shall extend to *Great Britain*. Extent of Act.

CAP. LXXI.

An Act to provide for the Performance of Duties heretofore performed by the Paymaster of Civil Services in *Ireland* in relation to Advances and Repayments of Public Monies for Public Works. [1st *August* 1861.]

'WHEREAS an Act was passed in the Seventh Year of the Reign of Her present Majesty, intituled *An Act to amend the Acts for carrying on Public Works in* Ireland; and by the said Act and the Acts amending and extending the same it is enacted, that Monies lent or advanced as therein provided for the Promotion of Public Works in *Ireland* should be paid in the Manner therein provided to the Governor and Company of the Bank of *Ireland*, and carried to the separate Account and Credit of the Paymaster of Civil Services in *Ireland*, to be by him paid on the Warrants of the Commissioners of Public Works in *Ireland*; and it is also thereby enacted, that Monies from Time to Time repaid in respect of such Loans or of Interest thereon should be paid to the Credit of an Account kept in the said Bank of *Ireland* by the said Paymaster, as therein particularly mentioned, and that such Receipt or Voucher of the said Paymaster as therein mentioned should be a sufficient Discharge to the Person making such last-mentioned Payment: And whereas a certain Act was passed in the Tenth Year of the Reign of Her present Majesty, intituled *An Act to facilitate the Improvement of Landed Property in* Ireland; and by such Act it is enacted, that the Commissioners of Her Majesty's Treasury should from Time to Time make Rules and Regulations as they might think necessary for the Purpose of placing at the Disposal of the said Paymaster such Sums of Money as might be necessary for the Purposes of that Act; and the said Governor and Company of the Bank of *Ireland* were thereby directed to open Two separate Accounts with the said Paymaster, one under the Title of Improvement of Land Advances Account, and the other under the Title of Improvement of Land Repayment Account; and it is also by the said last-mentioned Act provided, that the said Paymaster should give Certificates ascertaining the Amount advanced or to be advanced on the Security of any Lands specified in such Certificate, and the Amount of Rentcharge from Time to Time charged on the said Lands and the Arrears thereof, and in respect of the several other Matters therein particularly mentioned; and the said Paymaster is thereby authorized to take, in certain Cases, such Proceedings as are therein mentioned for the Purpose of raising the Amount due on Foot of such Rentcharges by Sale of the Lands charged therewith, or of other Lands in lieu thereof, as therein provided, and the Receipt

6 & 7 Vict. c. 44.

ss. 11, 12.

10 & 11 Vict. c. 32.

ss. 24, 26.

s. 48.

s. 49.

s. 50.

s. 52. ‘ of such Paymaster is thereby declared to be a sufficient Discharge for the Purchase Monies of such Lands, and upon Payment of the Amount of such Rentcharge the said Paymaster is thereby authorized to execute and register a Release of the Lands charged therewith: And whereas a certain other Act of Parliament was passed in the Thirteenth Year of the Reign of Her present Majesty, intituled *An Act further to amend an Act of the Tenth Year of Her present Majesty, for rendering valid certain Proceedings for the Relief of Distress in* Ireland *by Employment of the Labouring Poor, and to indemnify those who have acted in such Proceedings;* and it is thereby enacted, that the said Paymaster might, with the Sanction of the Commissioners of Her Majesty's Treasury, substitute for the Principal Monies and Interest payable under such Award as are therein referred to such Rentcharge as in the said Act is provided, the Amount of such Rentcharge and the Lands charged therewith to be ascertained by the Certificate of such Paymaster, and to be payable to the Bank of *Ireland* to his Credit, and by him carried to the Account of the Consolidated Fund: And whereas a certain other Act was passed in the Seventeenth Year of Her present Majesty, intituled *An Act for enabling Grand Juries in* Ireland *to borrow Money from private Sources on the Security of Presentment, and for transferring to Counties certain Works constructed wholly or in part with Public Money;* and it is thereby enacted, that certain Monies thereby directed to be paid by Counties as therein mentioned, and also Monies payable by Proprietors of Lands under Awards of the Commissioners of Public Works in *Ireland*, as therein referred to, should be paid to the said Paymaster of Civil Services, to be by him applied as therein provided: And whereas it is intended that the said Office of the Paymaster of Civil Services in *Ireland* should be forthwith abolished; and it is expedient that Provision should be made as herein-after is mentioned with respect to the Payment of all Monies directed to be paid to him or to his Account by way of Advances or Repayments of Advances of Public Monies, and also for the doing of all Acts and discharging all Duties by such Paymaster directed to be done and performed in and by the said Acts of Parliament or any other Act of Parliament relating to the Advance or Repayment of Public Monies in *Ireland*:’ Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

12 & 13 Vict. c. 60.

s. 1.

16 & 17 Vict. c. 136.

ss. 12, 15, 16.

The Commissioners of the Treasury to make Regulations in respect of Public Monies advanced.

1. From and after the passing of this Act, all Public Monies which shall be advanced under the Authority of the aforesaid Acts of Parliament or any other Act, and which would have been paid to the said Paymaster of Civil Services in *Ireland* or to his Account if this present Act of Parliament had not been passed, and all Sums of Money which shall be hereafter paid in Repayment of Loans or Advances of such Public Monies, or Interest thereon, as aforesaid, shall be paid and advanced, to such

such Persons, and repaid subject to such Rules and Regulations, and the Accounts of the same shall be kept in such Manner and Form, as the Commissioners of Her Majesty's Treasury shall from Time to Time direct and appoint; and a Copy of such Rules and Regulations shall be laid before Parliament within One Month after the same shall be issued if Parliament be then sitting, and if not then within One Week after Parliament shall be next assembled.

The Commissioners of the Treasury to make Orders for closing and balancing Accounts.

2. The said Commissioners of Her Majesty's Treasury shall and may make such Orders and give such Directions as they from Time to Time shall think fit, as to the closing and balancing of all Accounts heretofore kept by the Governor and Company of the Bank of *Ireland* with the said Paymaster, with respect to such Public Monies as aforesaid, and generally as to the Persons in whose Names and the Manner in which all Accounts of such Public Monies so advanced, and of all Monies paid in Repayment of the same, shall hereafter be kept, whether by the said Bank of *Ireland* or otherwise.

All Books belonging to the Office of Paymaster to be transferred as directed.

3. All Books of Account and other Books and Documents belonging to the Office of the said Paymaster, and relating to such Public Monies so advanced or repaid as aforesaid, shall be transferred to the Office of the Commissioners of Public Works in *Ireland*, who are hereby authorized and required to receive and provide for the proper Custody of the same, or to such other Office or Place as the said Commissioners of the Treasury may direct.

The Commissioners of Public Works or such Persons as the Commissioners of the Treasury may appoint, may do Acts heretofore performed by Paymaster of Civil Services.

4. From and after the passing of this Act, the said Commissioners of Public Works in *Ireland*, or any Two of them, or such other Person or Persons as the said Commissioners of Her Majesty's Treasury shall by Writing under their Hands from Time to Time appoint, shall and may make, execute, and do every Deed, Writing, Matter, or Thing and perform every Duty which the said Paymaster of Civil Services might or ought to have done, executed, or performed, by virtue of the aforesaid Acts of Parliament or otherwise, and relating in any way to the Advance, Repayment, or Recovery of such Public Monies as aforesaid, or of any Rentcharge or other Security for the same; and every such Deed, Writing, Matter, or Thing so executed and done by such Commissioners of Public Works, or such other Person or Persons appointed as aforesaid, shall be as valid and effectual to all Intents and Purposes as if the said Office of Paymaster of Civil Services in *Ireland* had been continued, and such Deed, Writing, Matter, or Thing had been by him executed or done.

Section 12. of 7 Vict. and Sect. 8. of 19 Vict. not applicable to certain Repayments.

5. The Enactments and Directions contained in Section Twelve of the said Act passed in the Seventh Year of the Reign of Her Majesty, Chapter Forty-four, and Section Eight of an Act passed in the Nineteenth Year of the Reign of Her Majesty, Chapter Eighteen, with respect to the Appropriation of Payments on account of Principal and Interest, shall not be deemed or taken to be applicable to Repayments of such Loans or Advances as aforesaid made by way of Rentcharge or Annuity, or by Instalments composed of Principal and Interest.

CAP. LXXII.

An Act to make further Provision for the Regulation of the *British* White Herring Fishery in *Scotland.*

[1st *August* 1861.]

23 & 24 Vict. c. 22. s. 1.

'WHEREAS an Act was passed in the last Session of Parliament "to amend the Laws relating to the *Scottish* 'Herring Fisheries," and it is expedient that further Provision 'be made for carrying into effect the Purposes thereof:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Penalty for selling, &c. Herrings during Close Time.

1. Every Person who, during the Period fixed by the recited Act for the Annual Close Time in the Herring Fisheries on the West Coasts of *Scotland*, shall sell or dispose of, or offer to sell or dispose of, or shall have in his Possession, any Herring or Herring Fry known by such Person to have been taken on the said West Coasts of *Scotland*, or on any Part thereof, during such Close Time, shall be liable in a Penalty of not less than Five Pounds and not exceeding Twenty Pounds for every such Offence, over and above the Forfeiture of the said Herrings or Herring Fry, and of any Boat, Box, Basket, Creel, or other Article in which the same may be found; and the Proof that such Herrings or Herring Fry when sold or disposed of, or offered for Sale or Disposal, or found in the Possession of any Person in the Ports, Harbours, Villages, or other Localities adjoining the said West Coasts of *Scotland*, were not taken contrary to the Provisions of the recited Act, shall be upon the Party selling or disposing or offering to sell or dispose of such Herrings or Herring Fry, or in whose Possession the same may be found.

Penalty for selling, &c. Herrings taken contrary to Provisions of 14 & 15 Vict. c. 26. s. 6.

2. Every Person who shall sell or dispose of, or offer to sell or dispose of, or who shall have in his Custody or Possession within a Boat, or recently removed therefrom, in any of the Ports, Harbours, Villages, or other Localities adjoining the Coasts of *Scotland*, any Herrings or Herring Fry taken contrary to the Provisions of the Act Fourteen and Fifteen *Victoria*, Chapter Twenty-six, Section Six, shall be liable in a Penalty of not less than Five Pounds and not exceeding Twenty Pounds for every such Offence, over and above the Forfeiture of the said Herrings or Herring Fry, and of every Boat, Box, Basket, Creel, or other Article in which the same may be found.

Penalty for defacing Marks or Numbers on Boats, Sails, &c.

3. After any Boat, Sail, Buoy, Net, or other Implement of Fishery shall have been marked or numbered under the Eleventh Section of the recited Act, it shall not be lawful to deface, alter, or endeavour in any way to conceal any such Mark or Number, without the Sanction of the Commissioners mentioned in the said Section; and every Person who shall so deface, alter, or endeavour to conceal the Mark or Number of any such Boat, Sail, Buoy, Net, or other Implement of Fishery shall be liable in

in a Penalty of not less than Forty Shillings and not exceeding Ten Pounds for every such Offence.

Herrings, &c. seized to be forfeited.

4. All Herrings or Herring Fry taken contrary to the Provisions of the recited Act, or of any Act incorporated therewith or referred to therein, and every Boat and Net used in the taking of such Herrings or Herring Fry, and every Boat, Box, Basket, Creel, or other Article in which the same may be found, may be seized by the Superintendent of Fisheries or any Officer acting under his Orders, or by any Officer of the Fisheries, or by any Order of any Sheriff, Justice of the Peace, or Magistrate having Jurisdiction under the said recited Act, and shall be forfeited.

Regulations may be made suspending Provisions of Act, to admit of Sprat Fishing within Part of Firth of Forth.

5. It shall be lawful to the Commissioners of the *British* White Herring Fishery at any Time, and from Time to Time, if Circumstances shall in their Opinion render it proper so to do, by Regulations to be made by them, to suspend within such Part of the *Firth of Forth* as is situate to the Westward of a straight Line drawn across the *Firth of Forth* from the West Pier of *South Queensferry* Harbour on the South Side through *Bimar* Beacon, and carried onwards to the Shore on the North Side, to such Extent and for such Period as they shall judge fit, the Operation of any of the Provisions of this Act or of the recited Act, or of any Act therein referred to, so as to admit of the Prosecution of the Sprat Fishing.

Declaring Import of 13th Section of recited Act.

6. 'Whereas Doubts have been entertained regarding the 'Import of the Thirteenth Section of the recited Act, and the 'Penalty thereby imposed:' It is hereby declared and enacted, That the Provisions of the said Section apply to all Nets other than the usual Drift Net, having Meshes of the legal Size of One Inch from Knot to Knot, and that the Penalty incurred by any Breach of the Provisions of the said Section is and shall be, for each Offence, not less than Five and not exceeding Twenty Pounds over and above the Forfeiture of the Net or Nets in reference to which the Penalty is incurred.

Constables acting under Orders of Sheriffs, &c. may exercise Powers of Act.

7. Any Constable or Officer of Police acting under the Authority and Orders of any Sheriff, or of any Justice of the Peace or Magistrate having Jurisdiction under the recited Act, shall be entitled, upon the Requisition of the Commissioners of the *British* White Herring Fishery, and until such Requisition be recalled, to exercise all the Powers, Functions, and Privileges which can be exercised or are enjoyed under or in virtue of this Act or the recited Act, or any Act therein referred to, by any Superintendent or Officer of the Fishery, except the superintending the curing of Herrings and the branding of Barrels containing the same; and every Person who resists or obstructs any Constable or Officer of Police so executing such Powers, Functions, and Privileges shall be liable to a Penalty not exceeding Fifty Pounds, or, failing Payment thereof, to Imprisonment for any Period not exceeding Sixty Days.

Powers of recited Acts extended to this Act.

8. All the Powers, Jurisdictions, and Authorities given, created, or conferred by the said recited Act, for carrying into effect the Purposes thereof, shall be held to extend to and be incorporated with this Act; and all Penalties incurred under the

Provisions of this Act may be prosecuted and enforced after the Forms and according to the Rules and Procedure prescribed by the said recited Act.

CAP. LXXIII.

An Act to amend the Law relating to the Copyright of Designs. [6th *August* 1861.]

5 & 6 Vict. c. 100.

'WHEREAS by an Act passed in the Session holden in the Fifth and Sixth Years of the Reign of Her present Majesty, Chapter One hundred, intituled *An Act to consolidate and amend the Laws relating to the Copyright of Designs for ornamenting Articles of Manufacture*, it was enacted, that the Proprietor of every such Design as therein mentioned, not previously published either within the United Kingdom of *Great Britain* and *Ireland* or elsewhere, should have the sole Right to apply the same to any Articles of Manufacture, or to any such Substances as therein mentioned, provided the same were done within the United Kingdom of *Great Britain* and *Ireland*, for the respective Terms therein mentioned, and should have such Copyright in such Designs as therein provided: And whereas divers Acts have since been passed extending or amending the said recited Acts: And whereas it is expedient that the Provisions of the said recited Act, and of all Acts extending or amending the same, should apply to Designs, and to the Application of such Designs, within the Meaning of the said Acts, whether such Application be effected within the United Kingdom or elsewhere:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

5 & 6 Vict. c. 100., and other Acts relating to Copyright of Designs, extended.

1. That the said recited Act, and all Acts extending or amending the same, shall be construed as if the Words "provided the same be done within the United Kingdom of *Great Britain* and *Ireland*" had not been contained in the said recited Act; and the said recited Act, and all Acts extending or amending the same, shall apply to every such Design as therein referred to, whether the Application thereof be done within the United Kingdom or elsewhere, and whether the Inventor or Proprietor of such Design be or be not a Subject of Her Majesty.

Application of Acts.

2. That the said several Acts shall not be construed to apply to the Subjects of Her Majesty only.

CAP. LXXIV.

An Act to render lawful the Enlistment of Persons transferred from the *Indian* to the General Forces of Her Majesty, and to provide in certain respects for the Rights of such Persons. [6th *August* 1861.]

'WHEREAS by a General Order of his Excellency the Governor General of *India* in Council, dated at *Fort William*, of the Tenth Day of *April* One thousand eight hundred

'and

'and sixty-one, certain Conditions were prescribed and Offers 'made to the *European* Officers and Men of the *Indian* Forces 'of Her Majesty, in order to facilitate the Amalgamation of the 'said Forces with Her Majesty's General Forces: And whereas 'certain Parts of the said Conditions and Offers cannot be 'carried into effect without the Authority of Parliament:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Enlistment of Soldiers transferred from the Indian to the General Forces to be valid for unexpired Portions of Service.

1. If any Soldier of Her Majesty's *European* Forces in *India* has volunteered or shall volunteer from the said Forces to enlist in any Regiment of Her Majesty's General Army, and has made or shall make the Declaration provided by the said Order of the Governor General, and contained in the Schedule of this present Act, or to the like Effect, any such Enlistment is declared to be and shall be as valid and effectual, for the unexpired Portion of the Service of such Soldier, as if such Soldier had originally enlisted in Her Majesty's Land Forces under the Provisions of the Act of the Tenth and Eleventh Years of Her Majesty, Chapter Thirty-seven, intituled *An Act for limiting the Time of Service in the Army.*

Persons so transferred to be accounted natural-born Subjects for Purposes of Military Service.

2. The Provisions of the Act of the First Year of Her Majesty, Chapter Twenty-nine, intituled *An Act for enabling Her Majesty to grant the Rank of General Officers to Foreigners now bearing Her Majesty's Commission, and to permit the Enlistment of Foreigners under certain Restrictions*, shall not apply to the Case of Officers or Soldiers in the *Indian* Forces of Her Majesty, not being natural-born Subjects, who have been or may be transferred to Her Majesty's General Forces under the Condition of the said Order; but every such Officer or Soldier shall be upon the same Footing, for the Purposes of Military Service and Promotion, and every Act or Thing done or to be done in respect of the Enlistment and Attestation of any such Soldier shall be as legal for all Purposes as if he were a natural-born Subject of Her Majesty.

Rights of Persons so transferred to Pensions for Service in Her Majesty's General Forces.

3. If any Soldier who has been or shall be so transferred as aforesaid is or shall become entitled to claim any Pension for Service or would have become entitled to claim any Pension if his Service had been wholly performed either in Her Majesty's *Indian* or in Her Majesty's General Forces, it shall be lawful for the Commissioners of *Chelsea Hospital* to take such Claim into consideration in the same Manner as they are by Law empowered to do in the Case of Soldiers discharged from Her Majesty's General Service, but such Pension shall be calculated in accordance with the Regulations either of Her Majesty's *Indian* or of Her Majesty's General Forces, according as such Soldier may choose, but subject to such Conditions as to the Time and Manner of exercising such Choice as have been or may be prescribed by the Commander-in-Chief of Her Majesty's Forces in *India*; and it

it shall be lawful for the Secretary of State for *India* in Council and the Commissioners of Her Majesty's Treasury to make by Agreement such Regulations as they may deem just and expedient as to the Apportionment of the Pensions aforesaid between the respective Revenues of *India* and of the United Kingdom of *Great Britain* and *Ireland*.

No Enlistment in India invalid by reason of the Absence of a Warrant from the Secretary at War, or because made out of Her Majesty's Dominions.

4. No Enlistment or Attestation of any Soldier or Person into Her Majesty's General or *Indian* Forces which shall have taken place within Her Majesty's Dominions in *India*, or within the Territories of any Foreign State in *India*, prior to the Publication of this Act in the said Dominions, before any Person appointed in that Behalf by the Governor of any Presidency in *India*, shall be invalid only by reason that no Warrant had, at the Time of such Appointment or of such Enlistment or Attestation, been signed by the Secretary at War in accordance with the Provisions of any Act of Parliament for the Punishment of Mutiny and Desertion, or that the Person so appointed had not Authority to act out of Her Majesty's Dominions; but every Soldier or Person so attested shall be deemed to be an attested Soldier to the same Effect as if such Warrant had been signed as aforesaid, and such Enlistment or Attestation had taken place within Her Majesty's Dominions; and no Person so appointed who shall have enlisted and attested any Soldier or Person for Her Majesty's General or *Indian* Forces shall be deemed to have acted illegally in so doing by reason that no such Warrant had been issued as aforesaid, or that such Enlistment or Attestation did not take place within Her Majesty's Dominions.

The SCHEDULE.

DECLARATION to be made by a Soldier volunteering from Her Majesty's Indian Forces to Regiments of Her Majesty's General Army.

I *A.B.* do declare that I have been till now a [Private, *or* Corporal, *or* Sergeant, *as the Case may be*] in the Regiment of in Her Majesty's Indian Military Forces; that I enlisted on the Day of for a Term of Years, of which Years and Months remain unexpired; that I am of the Age of Years; that I am willing to be transferred from the Infantry [*or as the Case may be*] of Her Majesty's Indian Forces to the 101st Regiment Royal Bengal Fusiliers [*or as the Case may be*] of Her Majesty's Army, for the unexpired Residue of my Term of Service; and to accept, according to the Terms of a General Order of His Excellency the Governor-General of India in Council, No. 332, of the 10th Day of April 1861, the Bounty of Rupees upon such Transfer; and that I will serve Her Majesty, Her Heirs and Successors, for the said unexpired Term of Years and Months from this Date, provided my Services should so long be required, and also for such further Term, not exceeding

exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

_____ *Signature of Soldier.*

_____ *Signature of Witness.*

Declared before me,

_____ *Signature of Justice of the Peace or Magistrate.*

CAP. LXXV.

An Act for amending the Municipal Corporations Act.

[6th *August* 1861.]

'WHEREAS it is expedient to amend in manner hereinafter mentioned the Act passed in the Session holden in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, Chapter Seventy-six, intituled *An Act to provide for the Regulation of Municipal Corporations in England and Wales*, and herein-after referred to as the "Principal Act:"' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 5 & 6 W. 4. c. 76.

1. This Act may be cited for all Purposes as "The Municipal Corporations Act Amendment Act, 1861." Short Title.

2. 'Whereas by the Fifty-seventh Section of the Principal Act it is provided that the Mayor for the Time being of every Borough shall be a Justice of the Peace of and for such Borough, and shall continue to be such Justice of the Peace during the next succeeding Year after he has ceased to be Mayor, unless disqualified as therein-before mentioned; and that such Mayor shall, during the Time of his Mayoralty, have Precedence in all Places within the Borough:' It is hereby enacted, That the Mayor of every Borough shall, during the Time of his Mayoralty, have Precedence over all Justices of the Peace acting in and for such Borough, and be entitled to take the Chair at all Meetings of Justices held within the Borough at which he may be present by virtue of his Office of Mayor, subject to these Provisoes; firstly, that the Mayor of a Borough shall not by virtue of this Section have any Precedence over the Justices of the Peace acting in and for the County, Riding, or Division of a County in which any such Borough is situate unless when acting in relation to the Business of such Borough, or over any Stipendiary Magistrate engaged in administering Justice; and secondly, that by virtue of this Section the Mayor of *Cambridge* shall not have any Precedence over the Vice-Chancellor of the University of *Cambridge*, and the Mayor of *Oxford* shall not have any Precedence over the Vice-Chancellor of the University of *Oxford*. Construction of 5 & 6 W. 4. c. 76. s. 57.

3. 'Whereas by the Ninety-eighth Section of the Principal Act it is provided, that every Person assigned by Her Majesty's Commission to act as Justice in and for a Borough shall reside within the Borough for which he shall be so assigned, or within Amendment of 5 & 6 W. 4. c. 76. s. 98.

'Seven

' Seven Miles of the Borough, or of some Part thereof, du
' such Time as he shall act as a Justice of the Peace in and
' such Borough; and by the Ninth Section of the Principal
' it is provided, that every Burgess shall be an Inhabitant Ho
' holder within the Borough, or within Seven Miles there
It is hereby enacted, That every such Justice shall be dee
to reside within such Borough if he occupies any House, S
Warehouse, or other Premises within the same.

Boroughs having a separate Commission of the Peace to be deemed Towns Corporate for the Purposes of the Alehouse Licensing Act.

4. 'Whereas by the Ninety-eighth Section of the Princ
' Act it is provided, that Her Majesty's Commission may
' issued to certain Persons to act as Justices of the Peac
' and for each of the several Boroughs therein mentioned:
' whereas Doubts have arisen whether Boroughs having sepa
' Commissions of the Peace but not having separate Court
' Quarter Sessions are "Towns Corporate" within the Mea
' of the Act Ninth of *George* the Fourth, Session Two, Cha
' Sixty-one, intituled *An Act to regulate the granting of Lice*
' *to Keepers of Inns, Alehouses, and Victualling House*
' England, so as to give the Justices of such Boroughs Co
' over the granting or withdrawing Licences, and it is desir
' that such Doubts should be removed:' It is hereby decla
That in the Construction of the last-mentioned Act the W
"Town Corporate," and the Words "County or Place," and
Words "Division or Place," include every Borough in *Engl*
having a separate Commission of the Peace, although it may
have a separate Court of Quarter Sessions; and that the W
"High Constable," where used in the same Act, include
Constable of any such Borough to whom the Justices of
same Borough may direct their Precept or Precepts under
same Act; and that all Licences hitherto granted, and all Tr
fers of Licences hitherto made in pursuance of the same
or of the Act of the Fifth and Sixth *Victoria*, Chapter Fo
four, or any other Act, by the Justices of any such Borough,
hereby declared to be valid and effectual to all Intents
Purposes.

Repeal of 5 & 6 W. 4. c. 76. s. 102. and new Provisions enacted in lieu thereof.

5. 'Whereas by the One hundred and second Section of
' Principal Act, it is enacted, that it shall not be lawful for
' Justices of any Borough to appoint or continue as such C
' to the Justices any Alderman or Councillor of such Boro
' or Clerk of the Peace for such Borough, or Partner of
' Clerk of the Peace, or any Clerk or Person in the Emplo
' such Clerk of the Peace; and that it shall not be lawful for
' said Clerk to the Justices, by himself or his Partner, to
' directly or indirectly interested or employed in the Pros
' tion of any Offender committed for Trial by the Justices
' whom he shall be such Clerk as aforesaid, or any of them
' any Court of Gaol Delivery, or General or Quarter Sessi
' and that any Person being an Alderman or Councillor
' Clerk of the Peace of any Borough, or the Partner or Cl
' or in the Employ of such Clerk of the Peace, who shall
' as Clerk to the Justices of such Borough, or shall otherw
' offend in the Premises, shall for every such Offence forfeit
'

'pay the Sum of One hundred Pounds as therein mentioned: 'And whereas the said Provisions have been found to be insufficient for preventing the Mischiefs thereby intended to be prevented:' It is hereby enacted, That the said Provisions of the One hundred and second Section of the Principal Act shall be repealed; and from and after the passing of this Act it shall not be lawful for the Justices of any Borough to appoint or continue as their Clerk any Alderman or Councillor of such Borough, or the Clerk of the Peace of such Borough or of the County in which such Borough is situate, or the Partner of any such Clerk of the Peace; and it shall not be lawful for the Clerk to the Justices of any Borough, by himself or his Partner, or otherwise, to be directly or indirectly employed or interested in the Prosecution of any Offender committed for Trial by the Justices of such Borough or any of them at any Court of Gaol Delivery or General or Quarter Sessions; and any Person who shall in anywise offend in the Premises shall for every such Offence forfeit and pay the Sum of One hundred Pounds, one Moiety thereof to the Treasurer of such Borough, to be paid over to the Credit and Account of the Borough Fund, and the other Moiety thereof, with Costs of Suit, to any Person who may sue for the same in any of Her Majesty's Courts of Record at *Westminster:* Provided that nothing herein contained shall prevent the Justices of any Borough reappointing as their Clerk any Clerk of the Peace or Partner of such Clerk of the Peace of their Borough, or of the County in which such Borough is situate, who at the Time of the passing of this Act shall be, or who shall not at the Time of such Reappointment have ceased to be, the Clerk of such Justices.

Provisions of 22 & 23 Vict. c. 56. as to Appointment of Inspectors of Weights, &c. extended to Boroughs having a separate Commission of the Peace.

6. 'Whereas by the Fourth Section of an Act passed in the 'Session holden in the Twenty-second and Twenty-third Years 'of the Reign of Her present Majesty, Chapter Fifty-six, intituled *An Act to amend an Act of the Fifth and Sixth Years of King* William *the Fourth, Chapter Sixty-three, relating to Weights and Measures,* certain Powers of appointing Inspectors of Weights and Measures are conferred on the Town Councils of all Municipal Boroughs in *England* and *Wales* incorporated under the Provisions of the Principal Act to which a separate Court of Quarter Sessions has been granted: And whereas it is expedient to extend such Provisions to the Town Councils of all Municipal Boroughs in *England* and *Wales* having a separate Commission of the Peace, although they may not have a separate Court of Quarter Sessions:' It is hereby enacted, That all the Provisions of the said Fourth Section shall extend to Boroughs having a separate Commission of the Peace in the same Manner as if such Boroughs were therein included under the Description of "Boroughs to which a separate Court of Quarter Sessions has been granted."

Not to affect 17 & 18 Vict. c. 20.

7. Nothing in this Act contained shall affect "The *Manchester* Division Stipendiary Act, 1854," or any Provision therein contained.

Construction of Act.

8. This Act shall be construed as One with the said Principal Act.

CAP.

'Seven Miles of the Borough, or of some Part thereof, during 'such Time as he shall act as a Justice of the Peace in and for 'such Borough; and by the Ninth Section of the Principal Act 'it is provided, that every Burgess shall be an Inhabitant House-'holder within the Borough, or within Seven Miles thereof:' It is hereby enacted, That every such Justice shall be deemed to reside within such Borough if he occupies any House, Shop, Warehouse, or other Premises within the same.

Boroughs having a separate Commission of the Peace to be deemed Towns Corporate for the Purposes of the Alehouse Licensing Act.

4. 'Whereas by the Ninety-eighth Section of the Principal 'Act it is provided, that Her Majesty's Commission may be 'issued to certain Persons to act as Justices of the Peace in 'and for each of the several Boroughs therein mentioned: And 'whereas Doubts have arisen whether Boroughs having separate 'Commissions of the Peace but not having separate Courts of 'Quarter Sessions are "Towns Corporate" within the Meaning 'of the Act Ninth of *George* the Fourth, Session Two, Chapter 'Sixty-one, intituled *An Act to regulate the granting of Licences 'to Keepers of Inns, Alehouses, and Victualling Houses in* 'England, so as to give the Justices of such Boroughs Control 'over the granting or withdrawing Licences, and it is desirable 'that such Doubts should be removed:' It is hereby declared, That in the Construction of the last-mentioned Act the Words "Town Corporate," and the Words "County or Place," and the Words "Division or Place," include every Borough in *England* having a separate Commission of the Peace, although it may not have a separate Court of Quarter Sessions; and that the Words "High Constable," where used in the same Act, include any Constable of any such Borough to whom the Justices of the same Borough may direct their Precept or Precepts under the same Act; and that all Licences hitherto granted, and all Transfers of Licences hitherto made in pursuance of the same Act, or of the Act of the Fifth and Sixth *Victoria*, Chapter Forty-four, or any other Act, by the Justices of any such Borough, are hereby declared to be valid and effectual to all Intents and Purposes.

Repeal of 5 & 6 W. 4. c. 76. s. 102. and new Provisions enacted in lieu thereof.

5. 'Whereas by the One hundred and second Section of the 'Principal Act, it is enacted, that it shall not be lawful for the 'Justices of any Borough to appoint or continue as such Clerk 'to the Justices any Alderman or Councillor of such Borough, 'or Clerk of the Peace for such Borough, or Partner of such 'Clerk of the Peace, or any Clerk or Person in the Employ of 'such Clerk of the Peace; and that it shall not be lawful for the 'said Clerk to the Justices, by himself or his Partner, to be 'directly or indirectly interested or employed in the Prosecu-'tion of any Offender committed for Trial by the Justices of 'whom he shall be such Clerk as aforesaid, or any of them, at 'any Court of Gaol Delivery, or General or Quarter Sessions; 'and that any Person being an Alderman or Councillor, or 'Clerk of the Peace of any Borough, or the Partner or Clerk, 'or in the Employ of such Clerk of the Peace, who shall act 'as Clerk to the Justices of such Borough, or shall otherwise 'offend in the Premises, shall for every such Offence forfeit and

'pay

'pay the Sum of One hundred Pounds as therein mentioned: 'And whereas the said Provisions have been found to be insufficient for preventing the Mischiefs thereby intended to be prevented:' It is hereby enacted, That the said Provisions of the One hundred and second Section of the Principal Act shall be repealed; and from and after the passing of this Act it shall not be lawful for the Justices of any Borough to appoint or continue as their Clerk any Alderman or Councillor of such Borough, or the Clerk of the Peace of such Borough or of the County in which such Borough is situate, or the Partner of any such Clerk of the Peace; and it shall not be lawful for the Clerk to the Justices of any Borough, by himself or his Partner, or otherwise, to be directly or indirectly employed or interested in the Prosecution of any Offender committed for Trial by the Justices of such Borough or any of them at any Court of Gaol Delivery or General or Quarter Sessions; and any Person who shall in anywise offend in the Premises shall for every such Offence forfeit and pay the Sum of One hundred Pounds, one Moiety thereof to the Treasurer of such Borough, to be paid over to the Credit and Account of the Borough Fund, and the other Moiety thereof, with Costs of Suit, to any Person who may sue for the same in any of Her Majesty's Courts of Record at *Westminster:* Provided that nothing herein contained shall prevent the Justices of any Borough reappointing as their Clerk any Clerk of the Peace or Partner of such Clerk of the Peace of their Borough, or of the County in which such Borough is situate, who at the Time of the passing of this Act shall be, or who shall not at the Time of such Reappointment have ceased to be, the Clerk of such Justices.

Provisions of 22 & 23 Vict. c. 56. as to Appointment of Inspectors of Weights, &c. extended to Boroughs having a separate Commission of the Peace.

6. 'Whereas by the Fourth Section of an Act passed in the 'Session holden in the Twenty-second and Twenty-third Years 'of the Reign of Her present Majesty, Chapter Fifty-six, intituled *An Act to amend an Act of the Fifth and Sixth Years 'of King* William *the Fourth, Chapter Sixty-three, relating to 'Weights and Measures,* certain Powers of appointing Inspectors 'of Weights and Measures are conferred on the Town Councils 'of all Municipal Boroughs in *England* and *Wales* incorporated 'under the Provisions of the Principal Act to which a separate 'Court of Quarter Sessions has been granted: And whereas it 'is expedient to extend such Provisions to the Town Councils 'of all Municipal Boroughs in *England* and *Wales* having a 'separate Commission of the Peace, although they may not 'have a separate Court of Quarter Sessions:' It is hereby enacted, That all the Provisions of the said Fourth Section shall extend to Boroughs having a separate Commission of the Peace in the same Manner as if such Boroughs were therein included under the Description of "Boroughs to which a separate Court of Quarter Sessions has been granted."

Not to affect 17 & 18 Vict. c. 20.

7. Nothing in this Act contained shall affect "The *Manchester* Division Stipendiary Act, 1854," or any Provision therein contained.

Construction of Act.

8. This Act shall be construed as One with the said Principal Act.

CAP.

CAP. LXXVI.

An Act to amend the Law relating to the Removal of Poor Persons to *Ireland*. [6th *August* 1861.]

'WHEREAS it is expedient that better Means should be provided for the safe Conveyance to the Place of their 'Destination in *Ireland* of Poor Persons who may be removed in 'pursuance of the Act passed in the Eighth and Ninth Years of 'the Reign of Her present Majesty, Chapter One hundred and 'seventeen:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,—

Warrant of Removal to be signed in Petty Sessions, or by a Police Magistrate.

1. No Application for a Warrant ordering the Removal from any Place in *England* to *Ireland* of any Poor Person who shall have become chargeable in such Place shall be heard and determined except by Two or more Justices in Petty Sessions assembled, or by a Stipendiary Magistrate, or Metropolitan Police Magistrate sitting in his Court, which Justices or Magistrate (as the Case may be) shall see such Poor Person or the Person who is the Head of the Family proposed to be removed, and shall be satisfied that every Person who is proposed to be removed by the Warrant is in such a State of Health as not to be liable to suffer bodily or mental Injury by the Removal.

Warrant to contain Name and Age of every Person to be removed, and other Particulars.

2. Such Warrant of Removal shall be granted only on the Application of the Relieving Officer or other Officer of the Guardians of the Union or Parish where such Poor Person shall become chargeable, and shall contain the Name and reputed Age of every Person ordered to be removed by virtue of the same, and the Name of the Place in *Ireland* where the Justices or Magistrate shall find such Person to have been born or to have last resided for the Space of Three Years, and a Statement of such Examination having been made as to the State of Health of every Person ordered to be removed as aforesaid; and such Warrant shall be addressed to the Party applying for the same, and to the Guardians of the Union or Parish to which such Poor Person is to be removed, and a Copy shall be given by and at the Cost of the Person applying for such Warrant to the Person or the Head of the Family about to be removed by virtue of it:

Proviso.

Provided that in the Case of any Native of *Ireland* who shall have been absent from *Ireland* less than Twelve Months the Pauper may, if the Guardians applying for the Warrant and the Justices or Magistrate issuing it think fit, be removed to any Place, other than that above described, with his Consent; and provided also, that in any Case where the Justices or Magistrate shall not be able to ascertain upon the Evidence before them the Place of Birth, or of such continued Residence as aforesaid, they shall order the Pauper to be removed to the Port in *Ireland* which shall in the Judgment of such Justices under the Circumstances of the Case be most convenient.

Copy of Warrant to be sent to Guardians.

3. The Guardians obtaining the Warrant shall send a Copy of it, by Post, to the Clerk of the Board of Guardians of the Union in

in *Ireland* to which such Poor Person shall be ordered to be removed, and also a Copy of the Depositions taken in the Case, if the same shall, at any Time within Three Months from the Date of the Warrant, be required by any such Board of Guardians.

Poor Persons to be conveyed to Place mentioned in Warrant.

4. Such Warrant shall order the Removal of the Poor Person to be made to the Place mentioned therein as aforesaid, and shall order the Persons charged with the Execution thereof to cause such Poor Person, with his Family (if any), to be safely conveyed to such Place in *Ireland*, to be delivered at the Workhouse of the Union containing the Port of or nearest to the Place of the Pauper's ultimate Destination.

Guardians of the Union at the Port may forward Pauper to Place of Destination, &c.

5. If such Union be not such Place of ultimate Destination, the Guardians thereof may, if they think fit, cause the Pauper to be removed forthwith to the Place mentioned in the Warrant, and shall be entitled to be reimbursed the Costs incurred in such Removal by the Guardians in *England* on whose Application the Warrant was obtained, such Costs being the actual Expense incurred in and about the Conveyance and Maintenance of each Person so removed, according to the Certificate of the Poor Law Commissioners of *Ireland*, which Costs may, if not paid on Demand, be recovered by an Action in any County Court having Jurisdiction in the Union or Parish in *England* from which the Removal shall have taken place, at the Suit of the Guardians of such Union in *Ireland*.

Women, &c. not to be Deck Passengers during Winter.

6. It shall be unlawful to remove any Woman or any Child under the Age of Fourteen as a Deck Passenger in any Vessel from *England* to *Scotland* or *Ireland*, during the Period from the First of *October* to the Thirty-first of *March* following, and no Regulation of Justices authorizing such a Removal shall be henceforth legal.

8 & 9 Vict. c. 117. s. 6. repealed.

7. Section the Sixth of the Act of the Eighth and Ninth *Victoria*, Chapter One hundred and seventeen, is hereby repealed.

Acts to be construed together.

8. Except so far as this Act shall alter the Provisions of the said Act, this Act shall be construed as a Part of the same.

CAP. LXXVII.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively. [6th *August* 1861.]

CAP. LXXVIII.

An Act to repeal certain Enactments relating to nominating and appointing the Householders of *Westminster* to serve as Annoyance Jurors, and to make other Provisions in lieu thereof. [6th *August* 1861.]

27 Eliz. c. 17., 29 G. 2. c. 25., 31 G. 2. c. 17.

'WHEREAS an Act was passed in the Twenty-seventh Year of the Reign of Queen *Elizabeth*, intituled *An Act for the good Government of the City or Borough of* Westminster *in* Middlesex, which Act, as amended by the

'Twenty-

'Twenty-ninth of King *George* the Second, Chapter Twenty-'five, and Thirty-first of King *George* the Second, Chapter 'Seventeen, appointed, among other Things, an Annoyance 'Jury, to inspect Annoyances, Obstructions, and Weights and 'Measures of Traders in the said City and Borough: And 'whereas it is expedient that so much of the said Act and such 'amended Acts as relate to the Appointment and Duties of such 'Annoyance Jurors should be repealed, and other Provisions 'made instead thereof:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Repeal of Part of recited Acts.

1. From and after the Twenty-ninth Day of *September* One thousand eight hundred and sixty-one, so much of the said Act and amended Acts as relates to the Appointment of Annoyance Jurors shall be and the same is hereby repealed.

Not to extend to Offences committed before passing of Act.

2. Provided always, That nothing herein contained shall extend or be construed to extend to interfere with any Acts done or Appointments made under the Authority of the said recited Acts, or to prevent the suing for or Recovery of any Penalty incurred by any Offence committed against the Provisions of the said recited Acts previous to the Repeal thereof in and by this Act.

Dean and Court of Burgesses to appoint, remunerate, suspend, or discharge Inspectors.

3. On and after the Twenty-ninth Day of *September* One thousand eight hundred and sixty-one, the Appointment of such Annoyance Jurors shall cease, and the Dean of the Collegiate Church of *Saint Peter Westminster* for the Time being, or the High Steward of the City and Liberty of *Westminster* for the Time being, or his lawful Deputy, shall and may from Time to Time, as Circumstances may require, call a Meeting or Meetings of the Court of Burgesses of the City and Liberty of *Westminster*, at which Court the said Dean, or the High Steward or his Deputy, or One of the Chief Burgesses and Four of the Burgesses, shall be present; and such Court so constituted shall exercise the Powers by this Act given to the Court of Burgesses, and shall and may and is hereby required to appoint One or more Inspectors of Weights and Measures, who shall hold the Office during the Pleasure of the said Court, which is hereby empowered to suspend or dismiss any Inspector so appointed, and to appoint other Inspectors as Occasion may require, and shall direct what reasonable Remuneration shall be paid to every Inspector for the Discharge of such Duties as he is ordered by the said Court of Burgesses to perform, within the Limits of its Jurisdiction, for preventing Persons dealing by unlawful Weights, Balances, or Measures within the said City or Liberty of *Westminster*.

Oath to be taken by Inspector.

4. Provided always, That every Inspector under this Act, before he enters upon the Execution of his Office, shall take an Oath to the Effect following, which Oath the said Court of Burgesses is hereby empowered to administer:

'I *A.B.* do swear, That I will faithfully, impartially, and honestly, 'according to the best of my Skill, Judgment, and Ability, 'execute the Powers and Duties of an Inspector of Weights and 'Measures

'Measures under an Act passed in the Year of the 'Reign of Queen Victoria, intituled "An Act to repeal certain '"Enactments relating to nominating and appointing the House-'"holders of Westminster to serve as Annoyance Jurors, and to '"make other Provisions in lieu thereof," and that I will execute 'those Powers and Duties without Hatred or Malice, Fear, 'Favour, or Affection.

'So help me GOD.'

Inspectors to visit Shops and Warehouses; Power to seize Weights and summon Offenders; Maximum of Fines fixed.

5. Every Inspector under this Act shall and may, with or without One or more Person or Persons acting by his or their Authority, at all seasonable Times during the Hours of Business in the Day or Night, enter any House, Shop, Warehouse, Building, or Yard within the said City and Liberty in the Occupation of or used by any Person who deals by Weight or Measure, and search for, take, and examine all Weights, Measures, Balances, Steelyards, and Weighing Machines there found and being, and if any of the same be unlawful, fraudulent, or defective, he may and is hereby directed and required to seize, keep, and detain the same, and to cause to be summoned the Person so offending before the said Court of Burgesses, which, in default of the Appearance of such Person, or after hearing such Person or any other One Individual who may appear on his Behalf, shall, on Proof thereof on Oath, fine such Person so offending in any Sum not exceeding Five Pounds for any One Offence, and the unlawful or defective Weights, Measures, Balances, Steelyards, and Weighing Machines shall thereupon be forfeited to the said Court and destroyed.

Inspector to inspect Weights and Measures of Persons in the Streets; Power to break unjust Weights and summon Offenders; Maximum of Fines fixed.

6. Every Inspector under this Act may, with or without One or more Persons acting by his Authority, at all seasonable Times in the Day or Night, search for, take, and examine all Weights, Measures, Balances, Steelyards, and Weighing Machines in the Possession of any Person selling, offering, or exposing for Sale any Goods on any open Ground, or in any public Street, Lane, Thoroughfare, or Place within the said City and Liberty of *Westminster*; and if upon such Examination any such Weights, Measures, Balances, Steelyards, and Weighing Machines be found unlawful, fraudulent, or defective, or shall be used in a fraudulent Manner, the same shall thereupon forthwith be forfeited to the said Court, and be seized, detained, and destroyed; and any Person using or having in his Possession any such unlawful, fraudulent, or defective Weights, Measures, Balances, Steelyards, and Weighing Machines, or using any Weights, Measures, Balances, Steelyards, or Weighing Machines in a fraudulent Manner, shall be summoned before the said Court of Burgesses, which, in default of the Appearance of such Person, or after hearing such Person, or any other One Individual who may appear on his Behalf, shall, on Proof thereof on Oath, fine such Person in any Sum not exceeding Five Pounds for any One Offence.

Power to Court to summon and examine Witnesses.

7. The said Court of Burgesses may summon Witnesses to give Evidence before that Court touching any Matters arising under the Fifth and Sixth Sections of this Act, or either of them, and may examine those Witnesses on Oath, and may do all Things

 necessary

necessary for the due and proper Hearing and Determination of any of the said Matters so arising as aforesaid.

Summons to be under Seal.

8. Every Summons under this Act shall be issued by the Town Clerk under the Common Seal of the said Court of Burgesses.

Service of Summonses.

9. Every Summons under this Act may be served upon the Person to whom it is directed by delivering the same to such Person personally, or by leaving the same with some Person for him at his last or most usual Place of Business or Abode.

Penalty on Witnesses for not attending and giving Evidence.

10. Any Person summoned as a Witness to give Evidence before the said Court of Burgesses touching any Matters arising under the said Fifth and Sixth Sections of this Act, or either of them, who shall neglect or refuse to appear at the Time and Place for that Purpose appointed, and who shall not make such reasonable Excuse for such Neglect or Refusal as shall be admitted and allowed by the said Court of Burgesses, or who appearing shall refuse to be examined on Oath or Affirmation and give Evidence, shall, on Conviction by the said Court of Burgesses, forfeit and pay to the said Court of Burgesses a Fine not exceeding Five Pounds for every such Offence.

Forms of Summons and Conviction.

11. Any Summons or Conviction under this Act may be in the Form given in the Schedule to the Act passed in the Twelfth Year of the Reign of Her Majesty, Chapter Forty-three, so far as any Form of Summons or Conviction therein may be applicable to the particular Case, and with such Alterations or Additions as the Circumstances of each Case may require, and every such Form or any Form to the like Effect shall be deemed good, valid, and sufficient in the Law.

Penalties for obstructing Inspector.

12. Every Person who shall abuse or insult any such Inspector when in the Execution of his Office, or shall in any way obstruct the Execution of the said Office, shall be liable to a Penalty not exceeding Forty Shillings.

Penalties for Misconduct of Inspector.

13. Every Inspector, and every Person acting under his Authority, who shall ask, demand, or take any Sum of Money or other Gratuity or Reward whatsoever for or under Pretence of excusing any Person or Persons, or for not summoning any Person or Persons for any Offences committed under this Act, or shall otherwise misconduct himself in the Execution of his Office, shall be liable to a Penalty not exceeding Five Pounds.

Fines to be paid to High Bailiff and Court of Burgesses.

14. All Fines imposed by the said Court of Burgesses under this Act shall and may be levied and recovered in the like Manner as the Fines and Amerciaments set or imposed by the said recited Acts are hereby directed to be levied and recovered; and all Sums so recovered shall be applied and disposed of in the Manner following; that is to say, the High Bailiff of *Westminster* or his Deputy for the Time being shall be and he is hereby entitled to one Moiety thereof, and shall receive and take the same to his own Use, and the other Moiety thereof shall be taken and applied by the said Court of Burgesses to pay the necessary Charges and Expenses that shall attend the Execution of this Act.

As to Recovery of Penalties for obstructing Inspector, &c.

15. The Penalties imposed by the Twelfth and Thirteenth Sections of this Act shall be recovered and applied in the same Way as if the Offences created and Penalties imposed by those Sections

Sections had, at the passing of an Act passed in the Third Year of the Reign of Her Majesty, Chapter Forty-seven, been created and imposed by and those Sections had been enacted in the Fifty-fourth Section of that Act.

Sizer, &c., to hold Office during Pleasure of Court of Burgesses.

16. If any Vacancy shall at the passing of this Act exist or hereafter occur in the Office of sizing and sealing Weights and Measures under the said Acts or either of them, every Person appointed to fill that Office shall hold the same during the Pleasure of the said Court of Burgesses, which may suspend or dismiss every such Person, and appoint others, as Occasion requires.

Reserving Rights of the Court of Burgesses.

17. Nothing in this Act contained shall, except so far as is by this Act expressly provided, extend or be construed to extend to interfere with the Appointment of any Officer by the Court of Burgesses, or with sealing, sizing, stamping, or marking of any Weights or Measures, or with the Fees for sealing, sizing, stamping, or marking such Weights and Measures, payable before the passing of this Act; and this Act shall be construed and taken together with the said recited Acts, and the said Acts and this Act shall, so far as the Provisions of the same are respectively consistent, be read together as One Act.

CAP. LXXIX.

An Act to amend the Metropolis Gas Act.

[6th *August* 1861.]

WHEREAS it is expedient to extend the Powers in relation to Gas vested in the Metropolitan Board of Works by "The Metropolis Gas Act, 1860:" Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Powers conferred on Justices of the Peace by 22 & 23 Vict. c. 66. as amended, so far as relates to Metropolis, transferred to Board of Works.

1. All Powers conferred on the Justices of the Peace of any County in General or Quarter Sessions assembled, by the Act passed in the Twenty-second and Twenty-third Years of the Reign of Her present Majesty, Chapter Sixty-six, intituled *An Act for regulating Measures used in Sales of Gas*, as amended by an Act passed in the Session of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and forty-six, and intituled *An Act to amend the Act for regulating Measures used in Sales of Gas*, shall, in so far as relates to the Metropolis, as defined by an Act passed in the Session holden in the Eighteenth and Nineteenth Years of Her present Majesty, Chapter One hundred and twenty, and intituled *An Act for the better Local Management of the Metropolis*, be transferred and vested in the Metropolitan Board of Works, and so many of the said Powers as are conferred by Section Four of the said Act of the Twenty-second and Twenty-third Years of the Reign of Her present Majesty shall be exercised by such Board within Two Months after the passing of this Act, and so from Time to Time thereafter as in the said Act mentioned, and all Expenses incurred by the said Board in pursuance of this Act

Loan Fund, and to cause a separate Account to be continued at Bank of England.

Account already opened at the Bank of *England* with them under the Title of "The Commissioners for the Reduction of the National Debt on account of the Public Works Loan Fund," and which Account the Governor and Company of the Bank of *England* shall and they are hereby required to continue in their Books accordingly, and to which Account shall be carried all such Monies as shall be issued and paid out of the Consolidated Fund for the Purposes aforesaid, and the said Commissioners for the Reduction of the National Debt shall continue and keep or cause to be continued and kept in their Office a Book or Books in which all the Monies transferred to their Account by virtue of this Act and the said recited Acts shall be entered and kept separate and apart from all other Monies, and such Monies shall be by them held subject to the Disposal, Orders, and Directions of the Commissioners of the said recited Acts and of this Act for the Purposes of such Loans and Advances and otherwise, as by the same Acts or the Acts relating thereto or this Act are directed or authorized to be made.

Bank to continue the Account already opened with the Commissioners for executing this Act.

4. The Governor and Company of the Bank of *England* shall and they are hereby required to continue the Account already opened in their Books with the Commissioners for the Execution of this Act and of the said recited Acts under the Title of "The Commissioners for the Issue of Loans for Public Works and Fisheries, &c.," to the Credit of which Account shall be carried all Principal and Interest Monies which shall from Time to Time become payable in respect of Loans made or to be made under the said recited Acts or this Act, and which shall be paid to the Cashiers of the said Bank of *England* upon such or the like Certificates, under the Hands of the said Commissioners of the said recited Acts and of this Act, as have been heretofore used for such Purpose in regard to Exchequer Bill or other Loans as directed by the said recited Acts or some or One of them, in such or the like Manner in all respects as if the Clauses and Provisoes in the said recited Acts or any of them with respect to such Payments and Certificates had been repeated and re-enacted in the Body of this Act, or as near thereto as the Difference of the Circumstances will admit.

Money paid into Bank to Account of Commissioners to be Part of Consolidated Fund.

5. All and every Sums and Sum of Money which shall be paid into the Bank of *England* to the Account of the Commissioners for executing this Act under and by virtue of this Act shall from Time to Time, at such Periods as the Commissioners of Her Majesty's Treasury shall direct, be transferred by the Governor and Company of the Bank of *England* to the Account kept by the said Bank of *England* with Her Majesty's Exchequer, and when so transferred shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Commissioners for executing recited Acts to be Commis-

6. The several Persons who in and by or under the said recited Acts or any of them are named or constituted Commissioners for the Execution of the said Acts, or so many of them as shall be living at the Time of the passing of this Act, together with

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Paul Butler Esquire, *George Grenfell Glyn* Esquire, *Thomson Hankey* Esquire, *Thomas Newman Hunt* Esquire, and *Henry Hussey Vivian* Esquire, (who have been appointed Commissioners for the Execution of the said recited Acts, under the Authority of the same, or some or One of them,) shall be and they and all future Parties so constituted are hereby constituted Commissioners for the Execution of the said recited Acts and this Act; and all Acts authorized by the said recited Acts and this Act to be done and executed by the said Commissioners may be done and executed by any Three or more of them. sioners together with others for executing this Act.

7. The said Commissioners named in and by or under the said recited Acts or any of them, or this Act, shall, before they enter upon the Execution of this Act, sign a Declaration to the following Effect: Commissioners to sign the following Declaration before acting.

'I *A.B.* do declare, That according to the best of my Judgment I will faithfully and impartially execute the several Duties, Powers, and Trusts vested in me by an Act intituled [*insert Title of this Act*], according to the Tenor and Purport of the said Act, and the Acts therein recited, and other Acts having reference thereto.'

And such Declaration shall be kept and entered with the other Proceedings of the said Commissioners.

8. When and so soon as the said Commissioners for the Execution of the said recited Acts and this Act shall have determined upon any Amount of Money to be advanced and lent or paid under the Provisions of this Act, the said Commissioners, or any Three or more of them, shall forthwith certify such Amount to the Commissioners for the Reduction of the National Debt for the Time being, and at the Foot of every such Certificate the Secretary of the said Commissioners for the Execution of the said recited Acts and this Act shall state the Name or Names of the Person or Persons by whom every such Certificate is to be presented to the said Commissioners for the Reduction of the National Debt, and upon every such Certificate being produced to the Officer of the said Commissioners for the Reduction of the National Debt the Comptroller General, or Assistant Comptroller, or Chief Clerk acting under the said last-mentioned Commissioners, shall upon the Back of every such Certificate endorse and sign an Order for the Payment of the Sum mentioned in every such Certificate to the Person or Persons named at the Foot of every such Certificate, or to One of such Persons, and which Order of such Officer previously to the issuing thereof shall be entered by the Clerk or other proper Officer, and shall be countersigned by the Actuary or other Check Officer acting under the said last-mentioned Commissioners, and shall be addressed to the Cashiers of the Governor and Company of the Bank of *England;* and such Cashiers, or One of them, shall upon the Production of every such Order pay the Sum mentioned therein to the Person or Persons mentioned in every such Order, and the Signature of such Person or Persons jointly or severally shall be a sufficient Discharge to the said Commissioners for the Amount of Monies to be advanced under this Act to be certified to the Commissioners for the Reduction of the National Debt.

Reduction of the National Debt and to the said Governor and Company respectively, provided the total Amount directed to be paid by such Certificate or Certificates respectively shall not at any Time exceed the Amount for the Time being standing to the Credit of the said Account of the said Commissioners for the Reduction of the National Debt under the Provisions of this Act or of the said recited Acts.

Commissioners for executing recited Acts and this Act to lay annual Accounts before Parliament.

9. The said Commissioners for the Execution of the said recited Acts and this Act shall cause to be made up an annual Account to the Thirty-first Day of *March* in each Year of the Amounts placed at their Disposal under the said recited Acts and this Act, the Amounts advanced, and the Amounts remaining unissued, also an Account of the Amount of the Loans advanced by the said Commissioners under the said recited Acts and this Act, the Monies received on account thereof and paid into the Exchequer, and the Balance of Principal and Interest outstanding, distinguishing each Class of Loans, and also showing the Amounts advanced and repaid in respect of each such Class during the Year ending the Thirty-first Day of *March* immediately preceding the Date of such Account, and the said Commissioners shall in each Year cause such Accounts to be laid before both Houses of Parliament on or before the Thirtieth Day of *June*, if Parliament be sitting, or if Parliament be not sitting then within Fourteen Days after the next Meeting of Parliament.

National Debt Commissioners to furnish Account for Audit.

10. The Commissioners for the Reduction of the National Debt shall cause to be made up for Examination and Audit an annual Account to the Thirty-first Day of *December* in each Year of the Receipts, Payments, and Balances in the said Account so directed to be kept by them in respect of the said Public Works Loan Fund as aforesaid, and shall deliver the same to the Commissioners for auditing the Public Accounts at *Somerset Place*.

Powers, &c. of recited Acts to have the same Force as if re-enacted in this Act.

11. None of the several Clauses, Powers, Authorities, Provisoes, Enactments, Directions, Regulations, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures contained in the said recited Acts or any of them shall be affected nor be deemed to have been affected by anything in this Act, or in any other Act or Acts of Parliament already passed or to be passed, except so far as the same is by this Act, or may by any such Act passed or to be passed, be altered, varied, or repealed by express Reference to the said recited Acts or this Act; and all and every the same several Clauses, Powers, Authorities, Provisoes, Enactments, Directions, Regulations, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures, so far as the same can be made applicable and are not varied by this Act, shall be taken to extend to this Act and to everything to be done in pursuance of this Act, and as if such Clauses, Powers, Authorities, Provisoes, Enactments, Directions, Regulations, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures were herein repeated and set forth.

CAP. LXXXI.

An Act to repeal the Provisions in certain Statutes relative to the Salary of the Lord Clerk Register in *Scotland*.

[6th *August* 1861.]

'WHEREAS by the Fifth and Sixth Sections of an Act passed in the Fifty-seventh Year of the Reign of His Majesty *George* the Third, Chapter Sixty-four, intituled *An Act to abolish certain Offices, and to regulate others in* Scotland, it is *inter alia* provided that from and after and upon the Termination of the then existing Interests in the Offices of Keeper of the Signets and Lord Register in *Scotland* respectively, or upon either of the same becoming vacant, the Duties of Keeper of the Signet in *Scotland* should be discharged by the Lord Register, and that it should not be lawful to His Majesty, His Heirs or Successors, to grant to any Person who should thenceforth be appointed to discharge the Duties of Lord Register in *Scotland* a higher Salary, nor should any Person who should be appointed to discharge such Duties enjoy a higher Salary in respect of such Appointment, than One thousand two hundred Pounds *per Annum*, and that the Fees payable to the Lord Register for *Scotland*, or in respect of the Duties discharged by any Person or Persons in the Office of the said Lord Register, should continue to be paid and payable and should be applied in the Manner specified in the said Act, and that any Balance of such Fees which should remain should be paid to the Receiver General of *Scotland* at least once in Three Months, or as the Lord High Treasurer or Commissioners of the Treasury, or any Three or more of them, should direct, and should be paid and accounted for by him with the other Public Monies received by him: And whereas by an Act passed in the Third Year of the Reign of His Majesty *George* the Fourth, Chapter Sixty-two, passed for the Regulation of the Fees chargeable in the General Register House in *Edinburgh*, it was provided that it should be lawful for the Lord President of the Court of Session in *Scotland*, the Lord Register of *Scotland*, the Lord Advocate of *Scotland*, the Lord Justice Clerk, the Lord Chief Baron of the Court of Exchequer in *Scotland*, and the Lord Chief Commissioner of the Jury Court, all for the Time being, or any Three or more of them, to modify and regulate in such Manner as to them should appear just and proper the Fees which should be payable for or in respect of the Office of Lord Register, or in respect of the Duties discharged by any Person or Persons in the Office of Lord Register: And whereas it is expedient to repeal so much of the said recited Acts as provides that any Salary or Fees should be payable for or in respect of the Office of Lord Clerk Register:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

57 G. 3. c. 64.

3 G. 4. c. 62.

1. So

Repeal of recited Acts as to Payment of Salary or Fees to Lord Clerk Register.

1. So much of the said recited Acts as provides the Payment of any Salary or Fees for or in respect of the said Office of Lord Clerk Register for *Scotland* shall be and the same is hereby repealed; and from and after the passing of this Act no Salary or Fees shall be payable for or in respect of the said Office; and the like Monies which were applicable before the passing of this Act to the Payment of the Salary of the Lord Clerk Register shall be applied in like Manner with the Balance of the Fees which should remain as directed by the first-recited Act.

CAP. LXXXII.

An Act for making Provision for the good Government and Extension of the University of *Durham*.

[6th *August* 1861.]

'WHEREAS it is expedient to make further Provision for 'the good Government and Extension of the University of '*Durham* and of the Colleges therein:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as the "*Durham* University Act, 1861."

Appointment of Commissioners.

2. The several Persons hereafter named, that is to say, the Right Reverend Father in God *Henry Montagu* Lord Bishop of *Durham*, the Honourable *Henry George Liddell*, the Right Honourable *Robert Lowe*, the Right Honourable *Charles Bowyer Adderley*, the Reverend *Charles John Vaughan* Doctor in Divinity, and *Robert Ingham* Esquire, shall be Commissioners for the Purposes of this Act, and shall have a Common Seal, and Three of the said Commissioners shall be a Quorum, and the Commissioner appointed or acting as Chairman shall have a Second or Casting Vote whenever at any Meeting the Votes of the Commissioners are equally divided.

Duration of Powers of Commissioners.

3. The Powers hereby conferred on the Commissioners shall be in force until the First Day of *January* One thousand eight hundred and sixty-three, and it shall be lawful for Her Majesty, if She think fit, by and with the Advice of Her Privy Council, to continue the same until the First Day of *July* One thousand eight hundred and sixty-three, and no longer.

As to Vacancies.

4. If any Vacancy occur in the Number of the Commissioners by means of Death, Resignation, or Incapacity to act, Her Majesty may fill up such Vacancy.

Commissioners empowered to require Production of Documents.

5. The Commissioners, in the Exercise of the Authorities hereby vested in them, shall have Power to require from any Officer of the University of *Durham*, or of any College therein, including Halls under the Term Colleges, the Production of any Documents or Accounts relating to such University or College, and any Information relating to the Revenues, Statutes, Usages, or Practice thereof, respectively, and no Oath which may have been

'een taken by any Officer shall be a Bar to any Authorities of the Commissioners.

Powers of Commissioners.

6. For the Purpose of promoting Religious Education, useful Learning, and practical Knowledge in the University of *Durham* and the Colleges therein, and of furthering the main Designs of the Founders and Donors, so far as is consistent with the above Purposes, it shall be lawful for the Commissioners, notwithstanding anything to the contrary contained in any Order of Council, Statute, Charter, Deed, or Instrument of Foundation or Endowment, but subject to the Restrictions herein-after mentioned, to make Ordinances for the Purposes following; that is to say,

(1.) For repealing, modifying, or altering any Order in Council, Statute, or Regulation relating to the University or the Colleges thereof:

(2.) For altering the Subscription required to be made on proceeding to any Degree in the University:

(3.) For altering or modifying the Trusts, Statutes, or Directions affecting any Gift or Endowment held or enjoyed by the University, or by any Professor, Lecturer, Reader, or Scholar therein:

(4.) For repealing, altering, and amending the College Statutes, and for making fresh Provision respecting the Eligibility of Persons to the Headship or the Fellowships or other College Emoluments, respecting the Right and Mode of appointing, nominating, or electing to such Headship, Fellowships, and Emoluments, and respecting the Duration and Conditions of the Tenure of such Fellowships and Emoluments, so as to ensure such Fellowships and Emoluments being conferred according to personal Merits and Fitness, and being retained for such Periods as are likely to conduce to the better Advancement of the Interests of Religion and Learning, and for the said Objects to modify or abolish any Right of Preference:

(5.) For the Consolidation, Division, or Conversion of Emoluments attached to Schools into Scholarships or Exhibitions so attached, or either partly so attached and partly open, or altogether open:

(6.) For the Creation of a sufficient Number of Open Scholarships either by Conversion of Fellowships or otherwise:

(7.) And generally for making further Provision for maintaining and improving the Discipline, Studies, and good Government of such University and Colleges, and for amending the Statutes thereof from Time to Time.

Restrictions on Exercise of Powers by Commissioners.

7. The following Restrictions shall be imposed on the Exercise by the Commissioners of the foregoing Powers:

(1.) No Ordinance shall be made to the Prejudice of the existing Interest of any Member of the University or Colleges:

(2.) No Ordinance shall be made inconsistent with an Act passed in the Session holden in the Second and Third Years of His late Majesty King *William* the Fourth, Chapter Nineteen (Private), and intituled *An Act to enable*

enable the Dean and Chapter of Durham *to appropriat Part of the Property of their Church to the Establish ment of a University in connexion therewith for the Ad vancement of Learning;* or with a Charter granted t the University by His late Majesty King *William* th Fourth, and dated the First of *June* One thousand eigh hundred and thirty-seven; but the Admission of Person other than those belonging to the Established Church t the Emoluments of the University shall not be deeme inconsistent with the said Act or Charter:

(3.) No Ordinance of the Commissioners shall be of an Validity until the same has been confirmed by Order o Her Majesty in Council as herein-after mentioned.

Ordinances to be laid before the Queen in Council.

8. All Ordinances framed by the Commissioners under th Powers herein contained shall be laid before Her Majesty i Council and be forthwith published in the *London Gazette* and it shall be lawful for the University of *Durham* and th Colleges thereof, and for the Visitors of any College in the Uni versity, and for the Visitor, and for the Trustees, Governors and Patron of any University or College Emolument, and fo any other Person directly affected by such Ordinances, within One Month after the Publication as aforesaid in the *London Gazette*, to petition Her Majesty in Council praying Her Ma jesty to withhold Her Approbation of the whole or of any Part thereof; and every such Petition shall be referred by Her Majesty by Order in Council for the Consideration and Advice of Five Members of Her Privy Council, of whom Two, not including the Lord President, shall be Members of the Judicial Committee, to be named in such Order, and such Five Members may, if they think fit, admit any Petitioner or Petitioners to be heard by Counsel in support of his or their Petition.

Statutes to be laid before Parliament.

9. All Ordinances published in the *London Gazette* as aforesaid shall be at the same Time laid before both Houses of Parliament, if Parliament be sitting, or if not then within Three Weeks after the Commencement of the next ensuing Session of Parliament; and unless an Address is within Forty Days presented by one or other of the said Houses, praying Her Majesty to withhold Her Consent from such Ordinances or any Parts thereof, or unless the Approbation of Her Majesty is withheld on such Petition as aforesaid, it shall be lawful for Her Majesty, by Order in Council, to declare Her Approbation of such Ordinances, or any Parts thereof to which such Address does not relate, or of which She does not withhold Her Approbation on such Petition, and the same shall thereupon become Statutes of the University of *Durham*, or of the College therein to which the same respectively relate; and if any such Ordinances, or any Part thereof, are not so approved by Her Majesty, it shall be lawful for Her Majesty to signify Her Disapproval of such Ordinances or such Part thereof by Order in Council, and the Commissioners may thereupon proceed to frame other Ordinances in that Behalf, subject to the same Conditions and Provisions as to the Approbation of Her Majesty in Council, and

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all other Conditions and Provisions, as are imposed by this Act in relation to the making of original Ordinances by the Commissioners, and so on from Time to Time as often as Occasion requires.

Statutes by Commissioners subject to Repeal, &c.

10. Every Ordinance made by the Commissioners in pursuance of the Provisions of this Act affecting the University or any College thereof, shall be subject to Repeal and Alteration by the University or College, as the Case may be, with the Approval of Her Majesty in Council.

Members not to possess vested Interests.

11. No Person who, after the passing of this Act, becomes a Member of the University of *Durham* or any College therein, or is elected or becomes eligible to any University or Collegiate Emolument, shall be deemed or taken to have acquired or to possess an existing Interest within the Meaning of this Act.

Powers of University to continue in force, &c.

12. Except in so far as they are expressly altered or taken away by the Provisions of this Act, the Powers and Privileges of the University and its Officers, and of the Colleges and their Officers, shall continue in full Force.

Interpretation of Terms.

13. In the Construction of this Act the Expression "University or College Emolument" shall include all Headships, Fellowships, Scholarships, Exhibitions, Clerkships, and every other such Place of Emolument payable out of the Revenues of the University or of any College, or to be held and enjoyed by the Members of any College as such within the University.

CAP. LXXXIII.

An Act to amend the Law regarding the Registration of County Voters in *Scotland*. [6th *August* 1861.]

2 & 3 W. 4. c. 65.

17 & 18 Vict. c. 91.

'WHEREAS an Act was passed in the Second and Third Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend the Representation of the People in* Scotland; and another Act was passed in the Seventeenth and Eighteenth Year of the Reign of Her present Majesty, intituled *An Act for the Valuation of Lands and Heritages in* Scotland: And whereas it is expedient to make further Provision with respect to the Registration of Persons entitled to vote in the Election of Members to serve in Parliament for Counties in *Scotland*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The County Voters Registration (*Scotland*) Act, 1861."

Interpretation of Terms.

2. The following Words and Expressions in this Act shall have the Meanings hereby assigned to them respectively, unless there be something in the Subject or Context repugnant to such Construction:

"Burgh" shall mean any Royal Burgh not contributing as a Burgh to send a Member to Parliament, but entitled under the second-recited Act to appoint a separate Assessor:

"Assessor"

"Assessor" shall mean the Assessor of any County or Burgh in and for which he is Assessor appointed under the second-recited Act, or any Assessor specially appointed under the Provisions of this Act, where such last-mentioned Appointment has been made:

"Sheriff" shall mean the Sheriff of the County of which he is Sheriff, and shall include Sheriff Substitute:

"Sheriff Clerk" shall mean the Sheriff Clerk of the County of which he is Sheriff Clerk, and shall include any Person discharging the Duties of such Sheriff Clerk:

"Valuation Roll" shall mean the Valuation Roll in force for the Time for any County, made up under the Authority of the second-recited Act, or any other Act relating to the Valuation of Lands and Heritages in *Scotland* which may be in force for the Time:

Where in this Act Notice is required to be given by "special Advertisement," such Notice shall be inserted once in at least Two Newspapers published in the County, or if there be no Newspaper or only One Newspaper published therein, in any Newspaper or Newspapers published in a County adjoining thereto:

"Proprietor" shall include Life Renter.

Provisions of first-recited Act as to County Registers repealed.

3. The Clauses and Provisions of the first-recited Act enacted for the Purpose of forming Registers of Persons entitled to vote in the Election of Members to serve in Parliament for Counties in *Scotland* shall be and the same are hereby repealed, except as to any Register heretofore made, and in so far as the same may be necessary to give effect to the Provisions of this Act; and this Act shall be taken to be Part of the said Act as fully as if it were incorporated therewith.

Future Valuation Rolls of Counties or Burghs to set forth additional Particulars.

4. In any future Valuation Roll to be made up in any County or Burgh under the Provisions of the second-recited Act, or of any other Act in force for the Time for the Valuation of Lands and Heritages in *Scotland*, the Assessor of every County or Burgh shall, in addition to the Particulars which are by the said Act required to be ascertained by him, and to be entered in such Roll, ascertain and enter in such Roll the Amount of Feu Duty, Ground Annual, or other yearly Consideration payable as a Condition of his Right by every Proprietor of any Lands or Heritages entered in such Roll as of the yearly Rent or Value of Ten Pounds or upwards, and the Name of the Person to whom the said Consideration is payable, and also the Rent, calculated in Terms of the Ninth Section of the first-recited Act, payable by every Tenant holding any Lands or Heritages entered in such Roll as of the yearly Rent or Value of Ten Pounds or upwards, under any Lease originally granted for not less than Fifty-seven Years, exclusive of Breaks; and in order to the Ascertainment of such Particulars it shall be lawful for the Assessor to call upon any Proprietor or Tenant for Receipts or other written Evidence of the Amount of such Feu Duty, Ground Annual, or other Consideration, or of such Rent, and such Proprietor or Tenant shall be bound to furnish and deliver such Evidence to the

the Assessor, under the same Penalty in case of Failure or of false Statement as is provided in similar Cases by the second-recited Act, and it shall also be lawful for the Assessor to exercise all the Powers which under the second-recited Act he may lawfully exercise for the Purposes thereof; and when the Proprietor is a married Woman the Assessor shall further insert in such Roll the Name and Designation of her Husband.

Form for future Valuation Rolls of Counties to be as in Schedule (A.)

5. The Valuation Rolls of Counties and Burghs shall for the future be annually made up in the Form of the Schedule (A.) hereunto annexed, in place of the Form prescribed by the second-recited Act: Provided that it shall be competent to the Commissioners of Supply of any County, or the Magistrates of any Burgh, with the Sanction of the Lord Clerk Register or his Deputy, to make, as regards such County or Burgh respectively, such Alteration in the Form of the said Schedule, where this shall be found necessary or convenient, as may make it applicable to One Year only, or to any less Number of Years than Five Years.

Sheriff Clerk to deliver annually to Assessors a Copy of the Register.

6. The Sheriff Clerk of every County shall, on or before the Thirtieth Day of *June* in the Year One thousand eight hundred and sixty-two, and in every Year thereafter, make and cause to be delivered to the Assessor of such County, where there is but One Assessor, and where there is more than One Assessor then to the Assessor specially appointed as is herein-after provided, a Copy of the Register of Voters then in force for such County, arranged alphabetically in Parishes.

Assessors to be nominated specially for this Act.

7. If in any County there shall be more than One Assessor in and for such County, or if there shall be a separate Assessor for any Burgh situate therein, then the Commissioners of Supply of the County shall, within Three Weeks after the passing of this Act, appoint One of such Assessors to perform the Duties herein-after imposed on such Assessor under this Act, and give Notice of such Appointment by special Advertisement; and failing such Appointment and Advertisement being duly made by the Commissioners of Supply, the same shall be made by the Sheriff of the County within Five Weeks after the passing of this Act; and every such Assessor so appointed shall from the Date of his Appointment be specially charged with all the Duties incumbent on the Assessor under this Act; and where in any County the Assessor so appointed shall cease to hold Office, the Commissioners of Supply shall within Three Weeks thereafter appoint another Assessor to act as aforesaid, and shall give Notice by special Advertisement of such Appointment as before provided; and in the event of such Commissioners failing so to do, such Appointment and Advertisement shall be made by the Sheriff of the County within Five Weeks after any Assessor shall have ceased to hold Office as aforesaid: Provided that all other Assessors in any County or Burgh situate therein shall, in all Matters relating to this Act, be subject to the Orders of the Assessor so to be appointed, and shall take Instructions from him, and shall be bound to act on such Instructions, so far as consistent with this Act.

8. On

Assessor to make up annually a List of Changes in Register, as in No. 1. of Schedule (B.)

8. On or before the Fifteenth Day of *August* in the Year One thousand eight hundred and sixty-two, and in every Year thereafter, he Assessor shall make out and subscribe, according to the Form No. 1. of the Schedule (B.) to this Act annexed, a List, arranged alphabetically in Parishes, of all Persons entered in the Register of Voters for the County who have died or become disqualified, and a like List of all Persons who shall appear from the Valuation Roll to have become entitled to vote in the Election of a Member of Parliament for the County, and shall give Notice by special Advertisement that such Lists have been prepared, and shall specify in such Advertisement the Office or Place at which such Lists shall be open to Inspection, and shall cause a written or printed Copy of such Lists, or of such Part thereof as relates to each Parish in the County, to be affixed on the Door of the Church of such Parish; and Copies of such Lists shall be open to Inspection by any Person in the Office or Place specified in such Notice, without Payment of any Fee, at any Time between the Hours of Ten o'Clock in the Morning and Four o'Clock in the Afternoon of each Day except *Sunday*, from the Sixteenth to the Twenty-fifth Days of *August*, both inclusive, in each Year, and Copies thereof or of Parts thereof shall be delivered by the Assessor to all Persons applying for the same on Payment for every such Copy at the Rate of Sixpence for every One hundred Words so copied: Provided always, that in making out the List of Persons who shall appear, from the Valuation Roll, to be entitled to vote in the Election of a Member of Parliament, the Assessor shall not transfer to the said List the Name of any Proprietor the Value of whose Property, as entered in the said Valuation Roll, shall, after deducting the Amount of Feu Duty, Ground Annual, or other yearly Consideration payable by such Proprietor as a Condition of his Right, be reduced below Ten Pounds, nor of any Proprietor who shall have failed to furnish Evidence of the Amount of such Feu Duty, Ground Annual, or other Consideration, as required by Section Fourth of this Act, nor of any Tenant under a Lease of Fifty-seven Years or upwards when the Rent payable under such Lease, as the Consideration of the Right, shall reduce the Value of such Lease below Ten Pounds, nor of any such Tenant who shall have failed to furnish Evidence of the Amount of such Rent, as required by the said Section.

Persons omitted from Register may claim to be registered, as in No. 1. Schedule (C.)

9. It shall be lawful for any Person whose Name has been erroneously struck out or omitted from the Register of Voters, or from the List of Voters made up by the Assessor, to give Notice to the Assessor on or before the Twenty-fifth Day of *August* in any Year, in the Form No. 1. of the Schedule (C.) to this Act annexed, of his Claim to have his Name entered in the Register of Voters for the County, on the Ground that he has one or other of the Qualifications required by the first-recited Act.

Assessor to make up and publish List of Claims, as in No. 2. of Schedule (B.)

10. On or before the First Day of *September* in every Year the Assessor shall make up a List of the Claims of which Notice has been given to him, in the Form No. 2. of the Schedule (B.) to this Act annexed, with the Names of the Persons claiming arranged alphabetically in Parishes, and shall give Notice by Special

Special Advertisement that such List of Claims has been prepared, and shall specify in such Notice the Office or Place at which such List will be open to Inspection; and shall cause a written or printed Copy of such List, or of such Part thereof as relates to each Parish in the County, to be affixed on the Door of the Church of such Parish; and Copies of such List shall be open to Inspection from the Second to the Fourteenth Days of *September*, both inclusive, in each Year; and Copies of such List, or Parts thereof, shall be delivered by the Assessor to Persons applying for the same on Payment therefor as herein-before provided.

Assessor to correct Lists, and deliver Copy of Register to Sheriff Clerk.

11. The Assessor shall on a Copy of the Register furnished to him by the Sheriff Clerk strike out the Names of all Persons entered therein and included in the said first-mentioned List who have died or become disqualified, and add in alphabetical Order in each Parish the Names of all Persons who have become entitled to vote, and shall on or before the First Day of *September* in each Year deliver to the Sheriff Clerk of the County a complete Copy of the Register, subscribed by him, with all such Alterations thereon and Additions thereto.

Names may be omitted by Desire.

12. If any Person shall intimate in Writing to the Assessor his Desire that his Name shall not be inserted in any such List, the Assessor shall not insert in such List the Name of such Person.

Assessors disqualified from voting.

13. Every Assessor, whether acting under this or the second-recited Act, shall, while he continues such Assessor, be disqualified from being registered as a Voter in the County of which he is Assessor, and from voting or taking part in any Election of a Member to serve in Parliament for such County.

Provision for filling up ad interim Offices on the Holders of which Duties are imposed by this Act.

14. Where in any County any Office upon the Holder of which Duties are imposed by this Act shall become vacant, it shall be lawful for the Sheriff to appoint a fit Person to perform ad interim the Duties of such Office, in so far as imposed by or necessary for the Purposes of this Act; and the Person so to be appointed shall be charged with and perform such Duties until such Office be duly filled up, and shall be entitled to such reasonable Remuneration therefor as may be fixed by the Sheriff, with the Approbation of the Lord Advocate, and such Remuneration shall be payable in the like Manner and out of the like Funds as the Salary or Allowances of the Office which had become vacant.

Provision as to Service of Notices.

15. Where any Notice is by this Act required to be given to the Sheriff Clerk or Assessor, it shall be sufficient if such Notice be delivered to him personally, or left at his principal Office, or sent to him by Post in a registered Letter addressed to him at his principal Office; and where by this Act any Notice is required to be given to any other Person, it shall be sufficient if such Notice be delivered to him personally, or sent in a Letter by Post, Postage paid, addressed to him, with a sufficient Direction, at his usual or last known Place of Abode.

Lists put up to be maintained, &c.

16. Where any List shall, pursuant to the Provisions of this Act, be affixed on any Place, the same shall continue so affixed for a Period including Two consecutive *Sundays* at the least

next after the Day of Publication, and if removed or defaced within such Period shall be replaced by the Person bound to give the Notice.

Penalty for injuring Lists put up.

17. Every Person who shall wilfully mutilate or remove any List so affixed during such Period shall for every such Offence be liable to a Penalty of not less than Ten Shillings and not exceeding Forty Shillings, to be recovered by any Person who may sue for the same, in a summary Manner, before the Sheriff or any Two Justices of the Peace.

Lists not invalidated by deficient Publication.

18. No List shall be invalidated by reason that it shall not have been advertised pursuant to this Act, or shall not have been affixed in the Place and for the full Time herein required for Publication thereof; and the Sheriff shall proceed to revise and adjudicate upon every such List, though not advertised or affixed as aforesaid: Provided that nothing herein contained shall be construed to exempt any Assessor or other Person, acting in wilful or culpable Neglect of any Duty imposed upon him by this or the first-recited Act, from any Penalties thereby incurred.

Errors not to affect Claims.

19. No Claim or Objection to any Claim shall be affected by any Mistake, Error, or Omission committed by any Public Officer or other Person to whom Claims or Objections are appointed to be given in or transmitted.

Valuation Rolls to be open to Inspection for the Purposes of this Act.

20. Any Person whose Name shall be on the Register or any List of Voters for the County, or who shall have claimed to have his Name inserted in any such Register or List, may, at any Time between the Hours of Ten o'Clock in the Morning and Four o'Clock in the Afternoon of any Day, except *Sunday*, between the Sixteenth Day of *August* and the Twenty-first Day of *October* in each Year, inspect any Valuation Roll, and make Extracts therefrom for any Purpose relating to any Claim or Objection made or intended to be made by or against such Person; and every Officer having the Custody thereof is hereby required to permit such Inspection, and the making of such Extracts, without Payment of any Fee.

Objection to Persons on the Register, or claiming to be put on the Register.

21. It shall be lawful for any Person whose Name shall be entered on the Register of Voters for any County to object to the Name of any other Person being entered or remaining on the Register of Voters of such County, provided such Person, on or before the Twenty-fifth Day of *August* in any Year, give to the Assessor and to the Person so objected to Notices of Objection in the Forms No. 2. and No. 3. of the Schedule (C.) to this Act annexed.

List of Objections made up by Assessor.

22. On or before the First Day of *September* in every Year the Assessor shall make up a List of the Objections to Claims of which Notice has been given to him on or before the Twenty-fifth Day of *August* preceding, arranged alphabetically in Parishes, in the Form No. 3. of the Schedule (B.) to this Act annexed; and such List of Objections shall be affixed, published, and open to Inspection at the same Places and during the same Time as is herein-before provided with respect to the List of Claims; and Copies of such List of Objections, or Parts thereof, shall be delivered

delivered by the Assessor to Persons applying for the same on Payment therefor as herein-before provided.

Sheriff to hold Courts for Revisal and Correction of Register.

23. Every Sheriff shall, between the First Day of *September* and the Fifth Day of *October* in each Year, revise and correct the Register of Voters for the County, and for that Purpose shall hold open Court at the Places prescribed in the first-recited Act, and shall, on or before the First Day of *September* in each Year, deliver or transmit to the Sheriff Clerk a Notice of the Days on which he is to hold the Court; and the Sheriff Clerk shall forthwith give Notice thereof by special Advertisement, and shall also give Notice to the Assessor, requiring him to attend at the Court.

Sheriff Clerk to produce Lists prepared by Assessor, and Notices of Claim and of Objection.

24. The Assessor shall, on or before the First Day of *September* in each Year, deliver to the Sheriff Clerk the Lists of Voters made out by him as before provided, and the Lists of Persons claiming and objected to; and the Sheriff Clerk shall lay before the Sheriff, at or prior to the holding of the Registration Court, the corrected Copy of the Register of Voters and the Lists delivered to him by the Assessor; and the Assessor shall attend the Court, and shall deliver to the Sheriff the original Notices of Claims and Objections; and the Valuation Roll for the Year shall be laid on the Table of the Court by the Person having the Custody of the same; and the Sheriff may require the Production of all Documents in the Hands of any Sheriff Clerk, Clerk of Supply, or Assessor which he may think necessary.

Assessor to maintain Lists, and answer Objections thereto, and Claims and Objections to be disposed of.

25. It shall be the Duty of the Assessor to maintain the Register and the List of Voters prepared by him, and to answer, so far as he can, any Objections with respect to the undue Omission or the undue Insertion of the Name of any Person in such Register or Lists; and it shall be lawful for any Person who shall have given any Notice of Claim or any Notice of Objection to support the same before the Court, by himself, his Agent or Mandatory; and the Sheriff shall decide on all such Claims and Objections summarily, and without any Record or written Pleadings, and shall, if necessary, alter the Register in conformity with such Decision, and such Decision shall be final, excepting as herein-after provided; and every Mandate produced to the Court, and bearing to be signed by any Person entitled to give or to support any Notice of Claim or of Objection, shall be *primâ facie* a sufficient Mandate, and shall have all the Privileges of a judicial Mandate.

Claimants omitted in Lists may be enrolled by Sheriff.

26. If any Person who shall have given to the Assessor due Notice of his Claim to have his Name inserted in the Register or List of Persons entitled to vote in the Election of a Member to serve in Parliament for any County shall have been omitted by the Assessor from such Register or List, the Sheriff shall, on the Revision of such Register, insert therein the Name of the Person so omitted, if it shall be proved to the Satisfaction of the Sheriff that such Person is, and was on the Thirty-first Day of *July* last preceding, entitled to be inserted therein in respect of the Qualification described in such Notice of Claim.

27. It

Claims omitted may be objected to.

27. It shall be lawful for any Person whose Name shall be on the Register or List of Voters for any County to oppose the Claim of any Person to have his Name inserted in the Register for such County on the Ground of his Name having been omitted; and such Person intending to oppose any such Claim shall, in the Court to be held for the Revision of such Register, and before the Hearing of such Claim, give Notice in Writing to the Sheriff of his Intention to oppose such Claim, and shall thereupon be admitted to oppose the same by Evidence or otherwise, without any previous or other Notice, and shall have the same Rights, Powers, and Liabilities as to Costs, Appeals, and other Matters relating to the Hearing and Determination of such Claim as any Person who shall have duly objected to the Name of any other Person being retained on any List of Voters, and who shall appear and prove the requisite Notices in Terms of this Act.

Sheriffs may grant Warrant to cite Parties, &c.

28. It shall be lawful for the Sheriff, upon *ex-parte* Application made to him to that Effect by any Claimant or Objector, to grant Warrant to cite Parties, Witnesses, and Havers, and to grant Diligence for the Recovery of Writings with reference to any Claim or Objection to be discussed before any Registration Court to be held by the Sheriff of the County.

Sheriffs may adjourn Registration Courts.

29. Every Sheriff holding any Court under the first-recited Act or this Act shall have Power to adjourn the same from Time to Time, and from any one Place to any other Place within the same County, but so that no such adjourned Court shall be held after the Fifth Day of *October* in any Year.

Sheriff Clerks to enter and authenticate Register.

30. The Sheriff shall, on or before the Fifth Day of *October* in each Year, authenticate the Register by subscribing the same, and shall mark with his Signature or Initials every Alteration of or Addition to the Register; and the Sheriff Clerk shall forthwith cause the Register, signed as aforesaid, to be entered in a Book, with the Names in each Parish arranged in strict alphabetical Order, according to the Surnames, and shall in such Book prefix to every Name its proper Number, beginning the Numbers from the First Name, and continuing them in a regular Series down to the last Name; and the Sheriff Clerk shall sign such Book, and deliver the same, on or before the Thirty-first Day of *October* in each Year, to the Sheriff, to be kept by him for the Purposes specified in the first-recited Act and this Act.

Register, signed by Sheriff Clerk, to be the Register of Voters.

31. The Book so signed as aforesaid by the Sheriff Clerk, and delivered to the Sheriff, shall be the Register of Persons entitled to vote at any Election of a Member to serve in Parliament which shall take place in and for the County between the Thirty-first Day of *October* in the Year in which such Register shall have been made and the First Day of *November* in the succeeding Year; and the Sheriff Clerk shall keep a Copy of such Register, and shall deliver a Copy thereof or of any Part thereof to any Person applying for the same, on Payment for every such Copy at the Rate of Sixpence for every One hundred Names copied: Provided that the Registers of Electors made up in the Year One thousand eight hundred and sixty-one shall be the Registers in

in force for Elections of Members to serve in Parliament until the First Day of *November* One thousand eight hundred and sixty-two.

Printed Copies of Register to be entered in Books.

32. The Sheriff shall, in addition to the said General Register, cause printed Copies of the same to be entered in a Book or Books, according to the Number of Polling Districts in each County, embracing the Parishes respectively attached to each District.

Register to be in force till revised, &c.

33. Every Register of Voters made up or that shall be made up for any County under the Provisions of this Act shall be the Register for such County until the same shall be revised and altered, pursuant to this Act, and shall for all Purposes come in place of the Register directed to be completed by the first-recited Act.

Persons dissatisfied with Judgment of Sheriff may appeal on Points of Law to Lords Ordinary.

34. If any Person whose Name shall have been struck out of the Register by the Sheriff, or who shall claim or object before the Sheriff at any Court, shall consider the Decision of the Sheriff on his Case to be erroneous in point of Law, he may, either himself or by some Person on his Behalf, in open Court, require the Sheriff to state the Facts of the Case, and such Question of Law, and his Decision thereon, in a Special Case; and the Sheriff shall prepare and sign such Case, and deliver the same in open Court to the Sheriff Clerk; and such Person, or some Person on his Behalf, may thereupon, in open Court, declare his Intention to appeal against the said Decision, and may within Ten Days of the Date of such Case lay a certified Copy thereof before the Senior Lord Ordinary and the Lord Ordinary in Exchequer Causes in the Court of Session, for their Decision thereon; and the said Judges shall with all convenient Speed hear Parties and give their Decision on such Case, and shall confirm or reverse the Decision of the Sheriff; and in the event of Reversal the Register shall be forthwith altered accordingly, by or at the Sight of the Sheriff; and if it shall appear to the Sheriff that his Judgment respecting the Qualifications of any Two or more Persons depends on the same Question of Law, he shall append to such Special Case the Names of all such Persons who have appealed against his Judgment on their respective Claims; and the Decision of the said Judges on such Special Case shall extend and apply to the Qualifications of all such Persons, in like Manner as if a separate Appeal had been taken in the Case of each of them; and the Decision of the said Judges shall be final, and not subject to Appeal or Review by any Court or in any Manner whatsoever.

Dependence of Appeal not to affect Right of voting, &c.

35. The Right of voting at any Election of a Member to serve in Parliament shall not be affected by any such Appeal depending at the Time of issuing the Writ for such Election, and it shall be lawful for every Person whose Name has been entered on the Register of Voters to exercise the Right of voting at such Election as effectually, and every Vote tendered thereat shall be as good, as if no such Appeal were depending; and the subsequent Decision in any Appeal which shall be depending at the Time of the issuing of the Writ for any such Election shall not

in any way whatever alter or affect the Poll taken at such Election, or the Return made thereat by the Returning Officers.

Penalty on Persons not attending Registration Courts when required.

36. Any Person who shall wilfully refuse or neglect, when duly required by the Sheriff, to attend as a Witness or a Haver before him at any Court to be held under the first-recited Act or this Act, or who shall refuse to produce any Documents or Writings in his Possession or Power, shall for every such Offence be liable to a Fine of not less than One Pound and not exceeding Five Pounds, to be imposed by and at the Discretion of the Sheriff.

Sheriff may award Costs, and Witnesses and Havers to be paid their Expenses.

37. It shall be lawful for the Sheriff to award Expenses against any Person maintaining any frivolous Objection to the Claim of any Voter, or to his Title to remain on the Register; and such Expenses may be recovered in like Manner as any Expenses of Process awarded by the Sheriff in an ordinary Action; and all Witnesses and Havers who may be cited as such, under the Provisions of the first-recited Act or this Act, shall be entitled to demand, from the Person citing them or causing them to be cited as such Witnesses or Havers, their reasonable Expenses, in the same Manner and at the same Rate of Payment as any Witness or Haver cited as such to any ordinary Civil Court; and the Lord Ordinary shall have Power to award the Costs of any Appeal.

Penalties on Assessors and others for Neglect of Duty.

38. Any Assessor who shall wilfully refuse or neglect to make out any List of Voters, or who, in making out any such List, shall wilfully, and without any reasonable Cause, omit the Name of any Person duly qualified to be inserted in such List, or who shall wilfully and without any reasonable Cause, insert in such List the Name of any Person not duly qualified, or who shall wilfully refuse or neglect to publish any Notice, or any List of Voters or of Claims, at the Time and in the Manner required by this Act, and any Sheriff Clerk who shall culpably neglect to make up any List of Claims or Register of Voters, pursuant to this Act, and any Assessor or Sheriff Clerk who shall be wilfully guilty of any other Breach of Duty in the Execution of this Act, shall for every such Offence be liable to a Fine of not less than Five Pounds and not exceeding Twenty Pounds, to be imposed by and at the Discretion of the Sheriff.

Penalties to be applied for the Purposes of this Act.

39. The Sheriff, when and so often as he shall impose any Fine under the Authority of this Act, shall at the same Time, in open Court, by an Order in Writing stating the Amount of such Fine, direct by and to whom and when the same shall be paid; and the Person to whom the said Fine shall be so ordered to be paid shall receive the same; and in every Case where the Offence for which such Fine shall have been imposed shall relate to the making up of the Register of Voters for any County, he shall pay over the Sum so received by him to the Assessor of such County for the Purposes of this Act.

Accounts to be kept of Monies received under this Act.

40. The Sheriff Clerk shall keep an Account of all Monies received by him for Copies of the Register of Voters or List of Claims, or Parts thereof, or otherwise under this Act, and shall account for and pay over the same to the Assessor of the County for the Purposes of this Act; and the Assessor shall keep an

Account

Account of all Monies received by him for Copies of the Lists of Voters or Parts thereof, or otherwise under this Act, and shall account for the same for the Purposes of this Act.

Expenses of annual Registrations, how to be defrayed.

41. As soon as may be after the Completion of each annual Registration under this Act the Commissioners of Supply of each County shall cause an Account to be made up of the Costs and Expenses attending such annual Registration in such County, and shall ascertain and fix the Amount thereof, including therein the Remuneration to Assessors which they may deem proper, and shall also cause an Account to be made up of all Monies which shall have been received by the Assessor under this Act for the Purposes thereof; and where the Amount of the Costs and Expenses so ascertained shall exceed the Amount of the Monies received for the Purposes of this Act, the said Commissioners shall cause the Amount of such Excess, along with such reasonable Sum as they may deem necessary to meet the Expenses of Collection, to be assessed and levied on the Lands and Heritages within such County, exclusive of any Lands and Heritages within the Parliamentary Bounds of any Burgh returning or contributing to return a Member to Parliament, according to the yearly Rent or Value of such Rents and Heritages, and to be collected along with any County Rate for the current Year; and any Balance of Funds remaining on hand from Time to Time in such County arising from such Assessment under this Act in any Year, after paying the Expenses of the Year with reference to which such Assessment was imposed, may be retained and applied by the said Commissioners in such Manner as they think fit for defraying the Expenses of Registration under this Act in subsequent Years, but for no other Use or Purpose whatever: Provided always, that no County shall be liable under this Act for any Expenses heretofore defrayed in Exchequer, or which, under the Provisions of this Act, may come in lieu of such Expenses: Provided also, that nothing herein contained shall alter the Provisions of an Act passed in the Twentieth and Twenty-first Year of the Reign of Her Majesty, Chapter Fifty-eight, to amend the second-recited Act. 20 & 21 Vict. c. 58.

Register to be conclusive Evidence of Qualification.

42. At every future Election for a Member to serve in Parliament for any County the Register of Voters made up as hereinbefore provided shall be deemed and taken to be conclusive Evidence that the Persons therein named have the Qualifications which are annexed to their Names respectively in the Register in force at the Time of such Election: Provided always, that if any registered Voter shall, after the Completion of the Register in any Year, have ceased to be the Proprietor or the Occupant, as the Case may be, of the Property in respect of which he was enrolled, he shall not be entitled to vote unless he have retained or acquired a Qualification which would entitle him to have his Name continued or inserted on the Register.

County Voters may be transferred from

43. Any Person whose Name shall appear in the Register of Voters for any Parish in any County, and whose Place of Abode shall not be within the Polling District at which such Parish

one Polling District to another.

shall be allotted to poll, but within the same County, may claim before the Sheriff to vote at the Polling Place of the District wherein his Place of Abode may be situate; and any Person whose Name shall appear in the Register of Voters for any County, and whose Place of Abode shall not be within the County, may in like Manner claim to vote at the Polling Place of any District within such County; and every such Person shall make such Claim in Writing under his Hand, and such Claim shall be delivered to and verified before the Sheriff, and it shall be lawful for the Sheriff, in his Registration Court, to insert in the Register of Voters in which the Name of such Person shall appear as aforesaid, against the Name of such Person, the Name of the Polling Place at which such Person shall be registered to vote; and such Person so registered shall be admitted to vote at every Election for the County at the said last-mentioned Polling Place, and not elsewhere, anything in the first-recited Act to the contrary notwithstanding.

Misnomer not to vitiate.

44. No Misnomer or inaccurate or defective Description of any Person, Place, or Thing named or described in any List or Register of Voters, or in any Notice required by this Act, shall prevent or abridge the Operation of this Act with respect to such Person, Place, or Thing; provided that such Person, Place, or Thing shall be so named or described in such List, Register, or Notice as to be commonly understood; and it shall be lawful for the Sheriff, in his Registration Court, if it shall appear to him that there has been no wilful Purpose to mislead or deceive, or that such Misnomer or inaccurate or defective Description was not such as to mislead or deceive, to allow any verbal, clerical, or casual Error in any such List, Register, or Notice to be corrected or supplied.

Repeal of Part of Sect. 26. of 2 & 3 W. 4. c. 65., and a Declaration as in Sched. (D.) substituted for Oath, &c.

45. The following Words in Section Twenty-six of the first-recited Act are hereby repealed; that is to say, the Words "of "his being still possessed of the Qualification there recorded, on "his own Account, and not in trust for or at the Pleasure of "any other Person;" and a Declaration in the Form of the Schedule (D.) to this Act annexed shall be substituted for the Oath or solemn Affirmation in the Form of the Schedule (I.) annexed to the first-recited Act; and wherever, according to the Provisions of the said Act, an Oath or solemn Affirmation, as the Case may be, in the Form of the Schedule (I.) to the said Act annexed, may be put and is required to be taken, there shall be put and be required to be made a Declaration in the Form of the Schedule (D.) to this Act annexed; and the said Act shall for the future be read and construed as if the Schedule (D.) to this Act annexed were the Schedule (I.) annexed to the said Act; and if any Person shall wilfully make the said Declaration, knowing the same to be false, he shall be guilty of a Crime and Offence, and shall be liable to be prosecuted accordingly, and punished by Fine or Imprisonment.

Commencement of Act.

46. This Act shall commence and take effect on the First Day of *January* One thousand eight hundred and sixty-two.

SCHE-

SCHEDULE (A.)

No.	Description of Subject.	Proprietor.	Occupier.	Tenant.			Rent payable under such Lease.	Feu Duty or Ground Annual, &c.	Feu Duties, to whom payable.	Yearly Rent or Value.				
				Not under Lease of 19 Years or upwards.	Under Lease of 19 Years and less than 57 Years.	Under Lease of 57 Years or upwards.				1861.	1862.	1863.	1864.	1865.
1	Farm of	A.B. of C.	E.F., residing at .	G.H., residing at .	G.H., residing at .	G.H., residing at .	—	—	—	£60	—	—	—	—
	—	—	—	—	—	—	—	—	—	—	£60	—	—	—
	—	—	—	—	—	—	—	—	—	—	—	£65	—	—
	—	—	—	—	—	—	—	—	—	—	—	—	£65	—
	—	—	—	—	—	—	—	—	—	—	—	—	—	£65
2	Manor House and Grounds of	A.B. of C.	L.M., Advocate	L.M., Advocate	—	—	—	—	—	£40	—	—	—	—
	—	—	O.P. of Q.	—	—	—	—	—	—	—	£40	—	—	—
	—	—	—	—	—	—	—	—	—	—	—	£40	—	—
	—	—	—	—	—	—	—	—	—	—	—	—	£40	—
	—	—	—	—	—	—	—	—	—	—	—	—	—	£40

SCHEDULE (B.)

Forms of Lists.

No. 1.

County of

List of Persons entered in the Register of Voters for the County of who have died or become disqualified, and of Persons who have become entitled to vote in the Election of Members of Parliament for the said County in respect of Lands and Heritages situate in whole or in part within the following Parishes :—

(1.) Parish of

Christian Name and Surname of each Voter at full Length.	Place of Abode.	Dead or become disqualified.	In the Case of Persons who have become entitled to vote.	
			Nature of Qualification.	Street, Lane, or other Place where the Property is situate, and Number of House, (if any,) or Name of Property, and the Name of the Tenant; or if the Qualification be a Feu Duty, then the Names of the Owners of the Property out of which such Feu Duty is payable, or some of them ; and the Situation of the Property.
C.D. *E.F.*	*of G. residing at*	*dead. disqualified.*		

(Signed) A. B.
Assessor of the County of

No. 2.

County of

List of Persons who have given Notice to the Assessor on or before the 25th Day of August 18 of Claims to be entered in the Register of Voters for the Election of a Member of Parliament for the County of

(1.) Parish of

Christian Name and Surname of each Claimant at full Length.	Place of Abode.	Nature of Qualification.	Place where Property is situated.	Parish in which Property is situate.

(Signed) A. B.
Assessor of the County of

No. 3.

County Voters (Scotland).

No. 3.

County of

List of Persons objected to as not being entitled to have their Names entered or retained on the Register of Voters for the Election of a Member of Parliament for the County of

Christian Name and Surname of each Person objected to at full Length.	Place of Abode.	Nature of Qualification.	Street, Lane, or other Place where the qualifying Property is situate, &c.	Parish in which Property is situate.

(Signed) A. B.
Assessor of the County of

SCHEDULE (C.)

FORMS OF NOTICES.

No. 1.

Notice of Claim to be given to Assessor.

To the Assessor of the County of

I hereby give you Notice, That I claim to have my Name entered in the Register of Voters for the Election of a Member of Parliament for the County of and that the Particulars of my Qualification are stated in the Columns below.

Dated the Day of 18

(Signed) C.D.

Christian Name and Surname of each Claimant at full Length.	Place of Abode.	Nature of Qualification.	Place where Property is situated.	Parish in which Property is situated.

No. 2.

No. 2.

Notice of Objection to be given to Assessor.

To the Assessor of the County of

I hereby give you Notice, that I object to the Name of the Person named and described below being entered [*or* retained] in the Register of Voters for the County of

Christian Name and Surname of the Person objected to at full Length.	Place of Abode.	Nature of Qualification.	Street, Lane, or other Place where the qualifying Property is situate, &c.	Parish in which Property is situate.

Dated the Day of 18 .

(Signed) E.F.

(Designation and Place of Abode.)

No. 3.

Notice of Objection to be given to Person objected to by any Person other than the Assessor.

County of , Parish of

To Mr. of

Take notice, That I object to your Name being entered [*or* retained] in the Register of Voters for the County of

Dated this Day of 18 .

(Signed) E.F.

(Designation and Place of Abode.)

SCHEDULE (D.)

I *A.B.* declare, That I am the Person whose Name appears on the Register of Voters now in force for the County of as *A.B.* [*Name and Surname, and Place of Abode, as in Register*], and that I have not before voted at this Election, and that I am possessed of a Qualification which entitles me to vote at this Election.

CAP. LXXXIV.

An Act to amend the Law in *Scotland* relative to the Resignation, Powers, and Liabilities of gratuitous Trustees. [6th *August* 1861.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

What Trusts hereafter constituted shall be held to include.

1. All Trusts constituted by virtue of any Deed or Local Act of Parliament under which gratuitous Trustees are nominated shall be held to include the following Provisions, unless the contrary be expressed; that is to say, Power to any Trustee so nominated to resign the Office of Trustee; Power to such Trustee, if there be only One, or to the Trustees so nominated, or a Quorum of them, to assume new Trustees; a Provision that the Majority of the Trustees accepting and surviving shall be a Quorum; and a Provision that each such Trustee shall only be liable for his own Acts and Intromissions, and shall not be liable for the Acts and Intromissions of Co-Trustees, and shall not be liable for Omissions.

Not to affect Liabilities of Trustees, &c.

2. Nothing contained in this Act shall affect any Liability incurred by any gratuitous Trustee prior to the Date of any Resignation or Assumption under the Provisions of this Act, nor any Action at Law, commenced before the passing of this Act.

Construction of the Term "Gratuitous Trustee."

3. A gratuitous Trustee shall, for the Purposes of this Act, be held to be any Trustee who receives no pecuniary or valuable Consideration for performing the Duties of a Trustee, and is under no Obligation, without special Acceptance of such Office, to discharge the Duties of Trustee: Provided always, that nothing in this Act shall extend to any Trustee appointed under the Contract of any Trading Company.

CAP. LXXXV.

An Act to authorize for a further Period the Application of Money for the Purposes of Loans for carrying on Public Works in *Ireland*. [6th *August* 1861.]

'WHEREAS an Act was passed in the Second Year of the Reign of His late Majesty King *William* the Fourth, Chapter Thirty-three: And whereas another Act was passed in the Seventh Year of the same Reign, Chapter One hundred and eight: And whereas another Act was passed in the First Year of the Reign of Her present Majesty, Chapter Twenty-one: And whereas another Act was passed in the Second Year of the Reign of Her present Majesty, Chapter Eighty-eight: And whereas another Act was passed in the Third Year of the Reign of Her present Majesty, Chapter Fifty: And whereas another Act was passed in the Second Session of the Fifth Year of the Reign of Her present Majesty, Chapter Nine: And whereas another Act was passed in the Seventh Year of the Reign of Her

1 & 2 W. 4. c. 33. 6 & 7 W. 4. c. 108. 7 W. 4. & 1 Vict. c. 21. 1 & 2 Vict. c. 88. 2 & 3 Vict. c. 50. 5 & 6 Vict. c. 9. 6 & 7 Vict. c. 44.

9 & 10 Vict. c. 1. 9 & 10 Vict. c. 85. 14 & 15 Vict. c. 51. 19 Vict. c. 18. 24 & 25 Vict. c. 80.

'Her present Majesty, Chapter Forty-four: And whereas another 'Act was passed in the Ninth Year of the Reign of Her present 'Majesty, Chapter One: And whereas another Act was passed 'in the Ninth and Tenth Years of the Reign of Her present 'Majesty, Chapter Eighty-five: And whereas another Act was 'passed in the Fourteenth and Fifteenth Years of the Reign of 'Her present Majesty, Chapter Fifty-one: And whereas another 'Act was passed in the Nineteenth Year of the Reign of Her 'present Majesty, Chapter Eighteen: And whereas by an Act 'passed in the present Session of Parliament, Chapter Eighty, 'the Commissioners of Her Majesty's Treasury of the United 'Kingdom of *Great Britain* and *Ireland* for the Time being are 'empowered by Warrant under the Hands of any Two or more 'of them, to cause to be issued out of the growing Produce of 'the Consolidated Fund of the United Kingdom of *Great Britain* 'and *Ireland* to the Account of the Commissioners for the Time 'being for the Reduction of the National Debt, a Sum or Sums 'of Money not exceeding Three hundred and sixty thousand 'Pounds *per Annum* during the Five Years next ensuing the 'Fourth Day of *April* One thousand eight hundred and sixty-'two, by quarterly Instalments or Issues not exceeding Ninety 'thousand Pounds *per* Quarter, the First Instalment thereof to 'become due and payable in the Quarter ending the Thirtieth 'Day of *June* One thousand eight hundred and sixty-two: And 'whereas sundry Advances or Loans have been made by the 'Commissioners of Public Works in *Ireland* under the said first-'recited Act and the several Acts since passed for amending 'and extending the same, for the Purposes in the same Acts 'specified, and great Benefits have been derived therefrom, and 'further Advances or Loans are required for the like Objects:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Appointment of Commissioners.

1. The Commissioners of Public Works for the Time being shall be Commissioners for the Execution of this Act.

Treasury may apply a Sum not exceeding 15,000*l.* per Quarter for Public Works in Ireland.

2. The said Commissioners of Her Majesty's Treasury by Warrant under the Hands of any Two or more of them may direct from Time to Time out of the Sum not exceeding Three hundred and sixty thousand Pounds *per Annum* which by the said Act of this present Session of Parliament they are authorized to cause to be issued out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, or out of the growing Produce thereof, to the Account of the Commissioners for the Reduction of the National Debt during the Term of Five Years next ensuing the Fourth Day of *April* One thousand eight hundred and sixty-two, by quarterly Instalments or Issues not exceeding Ninety thousand Pounds *per* Quarter as aforesaid, there shall issue and be paid unto the said Commissioners for the Reduction of the National Debt during the said Term of Five Years a Sum not exceeding Fifteen thousand Pounds *per* Quarter, to be at the Disposal of the said Commissioners of Public Works

as

as herein-after mentioned, the First Instalment thereof to become due and payable in the Quarter ending the Thirtieth Day of *June* One thousand eight hundred and sixty-two.

The separate Account already opened to be continued at the Bank of England.

3. For the Purpose of receiving the said quarterly Instalments the said Commissioners for the Reduction of the National Debt shall continue or cause to be continued the separate Account already opened with them at the Bank of *England* under the Title of "The Commissioners for the Reduction of the National Debt on account of the Public Works Loan Fund for *Ireland*," which Account the Governor and Company of the Bank of *England* shall and they are hereby required to continue in their Books accordingly, and the said Commissioners for the Reduction of the National Debt shall continue and keep or cause to be continued and kept in their Office a Book or Books in which all Monies transferred to the said last-mentioned Account by virtue of this Act and the said recited Act of the Seventh Year of the Reign of Her present Majesty shall be kept apart from all other Monies, and such Monies shall be by the same Commissioners held subject to the Disposal of the said Commissioners of Public Works for the several Purposes of the said first-recited Act and the other Acts amending the same and of this Act.

When Loans sanctioned, Commissioners to certify Amount of Issue to National Debt Office.

4. When the said Commissioners of Her Majesty's Treasury shall have sanctioned any Loan under this Act or any of the above-recited Acts, and the said Commissioners of Public Works shall have ascertained that any Sum of Money is required to be issued on account of such Loan, they shall forthwith certify the Amount of such Issue to the Commissioners for the Reduction of the National Debt for the Time being, and in every such Certificate the Loan in Payment of which such Issue is required, and the Party or Parties to whom such Issue is intended to be made, shall be stated, and upon every such Certificate being produced to the Officer of the said Commissioners for the Reduction of the National Debt, the Comptroller General, or Assistant Comptroller, or Chief Clerk acting under the last-named Commissioners shall upon the Back of such Certificate indorse and sign an Order for the Payment of the Sum mentioned in such Certificate to the Governor and Company of the Bank of *England* to be by them placed to the Account of the Governor and Company of the Bank of *Ireland*, for the Account and Credit at the said Bank of the said Commissioners of Public Works: Provided always, that Approval of such Issue by the Commissioners of Her Majesty's Treasury shall appear on such Certificate under the Hand of One of their Secretaries, and that the Amount of such Issue shall not exceed the Sum for the Time being standing in the Names of the said Commissioners for the Reduction of the National Debt subject to the Disposal of the said Commissioners of Public Works.

Payment on Production of Certificate.

Approval of Treasury to appear on Certificate.

Order to be entered by the proper Officer, countersigned, and addressed to Cashiers of the Bank.

5. Every such Order of the Officer of the said Commissioners for the Reduction of the National Debt before the issuing thereof shall be entered by the Clerk or other proper Officer, and shall be countersigned by the Actuary or other Check Officer acting under the said Commissioners for the Reduction of the National Debt, and shall be addressed to the Cashiers of the

the Governor and Company of the Bank of *England*, and such Cashiers or One of them shall, upon the Production of every such Order, pay the Sum mentioned therein to the Governor and Company of the Bank of *England*, and the Signature of One of the Cashiers of the said Governor and Company of the Bank of *England* shall be a sufficient Discharge to the said Commissioners for the Reduction of the National Debt.

National Debt Commissioners to furnish Account for Audit.

6. The Commissioners for the Reduction of the National Debt shall cause to be made up for Examination and Audit an annual Account to the Thirty-first Day of *December* in each Year, of the Receipts, Payments, and Balances on the said Account, so directed to be kept by them in respect of the said Public Works Loan Fund for *Ireland* as aforesaid, and shall deliver the same to the Commissioners for auditing the Public Accounts.

Appropriation and Entry of Repayments.

7. As soon as any Sum of Money shall have been lodged to the Credit of the Account of the Commissioners of Public Works at the Bank of *Ireland*, on account of the Repayment of Loans for Public Works, the said Commissioners of Public Works shall cause the Sum or Sums so lodged to be entered in their Books to the Credit of the Loan on account of which such Repayment shall have been made, and shall cause a Receipt to be delivered to the Party or Person on whose Account such Repayment shall have been so made, and such Receipt shall be a sufficient Discharge to the Party or Person paying the same.

Sums paid into Bank of Ireland to be Part of Consolidated Fund.

8. Every Sum of Money which shall be paid into the Bank of *Ireland* to the Account of the said Commissioners of Public Works on account of the Repayment of Loans for Public Works under this or any of the aforesaid Acts, shall from Time to Time, at such Periods and in such Manner as the Commissioners of Her Majesty's Treasury shall direct, be transferred by the said Commissioners of Public Works to the Account kept at the said Bank with Her Majesty's Exchequer, and when so transferred shall be carried to and make Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Commissioners for executing recited Acts and this Act to lay annual Accounts before Parliament.

9. The said Commissioners for the Execution of the said recited Acts and this Act shall cause to be made up an annual Account to the Thirty-first Day of *March* in each Year of the Amounts placed at their Disposal under the said recited Acts and this Act, the Amounts advanced, and the Amounts remaining unissued, also an Account of the Amount of the Loans advanced by the said Commissioners under the said recited Acts and this Act, the Monies received on account thereof and paid into the Exchequer, and the Balance of Principal and Interest outstanding, distinguishing each Class of Loans, and also showing the Amounts advanced and repaid in respect of each such Class during the Year ending the Thirty-first Day of *March* immediately preceding the Date of such Account; and the said Commissioners shall, on or before the First Day of *June* in each Year, cause such Accounts and Statements to be transmitted to the Public Works Loan Commissioners at their Office in *London*; and such Accounts and Statements shall by the said last-mentioned Commissioners be laid before both Houses of Parliament on or before

before the Thirtieth Day of the same Month of *June*, if Parliament be sitting, or if Parliament be not sitting, then within Fourteen Days after the next Meeting of Parliament.

Powers of recited Act as to Advances to have the same Force as if re-enacted in this Act.

10. All the Enactments contained in the said recited Acts relating to Public Works in *Ireland* or any of them shall, except as is herein otherwise provided, extend to this Act and to all Things done or directed to be done by the said Commissioners of Her Majesty's Treasury or the said Commissioners of Public Works or their Secretary for the Time being, or any other Persons or Bodies Corporate, under the Authority of the said recited Acts or this Act or any of them, in such or the like Manner as if they had been particularly and severally re-enacted in the Body of this Act, or as near thereto as the Difference of the Circumstances will admit, except so far only as the same are amended or altered by any of the said Acts or by this Act.

CAP. LXXXVI.

An Act to amend the Law regarding Conjugal Rights in *Scotland*. [6th *August* 1861.]

'WHEREAS it is expedient to amend the Law of *Scotland* relating to Husband and Wife:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

A Wife deserted by her Husband may apply for an Order to protect Property which she has or may acquire by her own Industry, or which she may succeed to.

1. A Wife deserted by her Husband may, at any Time after such Desertion, apply by Petition to any Lord Ordinary of the Court of Session, or in the Time of Vacation to the Lord Ordinary on the Bills, for an Order to protect Property which she has acquired or may acquire by her own Industry after such Desertion, and Property which she has succeeded to or may succeed to or acquire Right to after such Desertion, against her Husband or his Creditors, or any Person claiming in or through his Right; and the Lord Ordinary shall appoint such Petition to be intimated in the Minute Book of the Court of Session, and to be served upon the Husband; and the Husband, or any Creditor of the Husband, or any other Person claiming in or through his Right, shall be entitled to lodge Answers to the said Petition, and if the Husband be furth of *Scotland*, the Petition shall be executed edictally against him on an Induciæ of Twenty-one Days; and upon considering such Petition the Lord Ordinary shall require Evidence of such Desertion, and on being satisfied thereof pronounce an Interlocutor giving to the Wife Protection of her Property as aforesaid against the Husband and all Creditors or Persons claiming under or through him; and if Answers be lodged to the said Petition, the Lord Ordinary may, on considering the same, and, if he consider it necessary, after hearing Parties, allow a Proof to them of their respective Averments, which Proof he shall take himself, and either write the Evidence with his own Hand, in which Case it shall be read over to the Witness by the Judge, and signed by the Witness, if he can write, or the

Lord Ordinary shall record the Evidence by dictating it to a Clerk, in which Case it shall, when taken down, be read over and signed as above; or the Lord Ordinary shall cause the Evidence to be taken down and recorded by a Writer, skilled in Shorthand Writing, in manner after mentioned, and it shall be competent to the Lord Ordinary, in special Cause shown, instead of taking such Proof, to grant a Commission to take said Proof elsewhere than in *Edinburgh*, in which Case he may pronounce an Interlocutor setting forth such special Cause, and granting Commission to take such Proof, and if satisfied after Proof of the Fact of such Desertion, and that the same was without reasonable Cause, he shall pronounce an Interlocutor giving to the Wife Protection as aforesaid, and he shall appoint Intimation of the said Interlocutor having been pronounced to be made in One or more Newspapers published within the County within which the Wife is resident, or in such other Newspapers as the Lord Ordinary may appoint.

Husband or Creditor may apply by Petition for Recal of Order.

2. It shall be lawful for the Husband, or any Creditor or other Person claiming in or through his Right, if such Creditor, Husband, or other Person have not lodged Answers as aforesaid, to apply by Petition to the Lord Ordinary by whom such Order was made for the Recal thereof; and the Lord Ordinary shall appoint such Petition to be answered by the Wife, and thereafter dispose of the Application as he shall think just; but such Recal shall not affect any Right or Interest onerously and *bonâ fide* acquired by any Third Party from the Wife before said Recal; and the Lord Ordinary shall direct that Publication of his Interlocutor be made in manner herein-before provided.

Interlocutors may be reviewed.

How long Order of Protection to continue operative.

3. All Interlocutors of the said Lord Ordinary may be brought under Review of either Division of the Court of Session, by lodging and boxing within Twenty-one Days after the pronouncing of such Interlocutors, if in Session; and if the said Twenty-one Days shall expire during Vacation, by lodging in the Bill Chamber a Reclaiming Note and boxing the same at the First Box Day after the Expiry of the said Twenty-one Days: Provided always, that, notwithstanding such Reclaiming Note, the Interlocutor of the Lord Ordinary granting Protection shall take effect when intimated as aforesaid, unless the Lord Ordinary, either at the Time of the pronouncing thereof or within Forty-eight Hours thereafter, order that his Interlocutor shall not take effect till the advising of the Reclaiming Note, or such other Period as he may think fit; and such Order of Protection shall, where there has been Appearance by the Husband, continue operative until such Time as the Wife shall again cohabit with her Husband, or until the Lord Ordinary, upon a Petition by the Husband, shall be satisfied that he has ceased from his Desertion, and cohabits with his Wife; and the Lord Ordinary may require him to find Security for such Period as may be appointed, that he shall continue to cohabit with her; and upon the Lord Ordinary being so satisfied, and Security found, if required, he shall recal the Order of Protection; but such Recal shall not affect any Right or Interest acquired by the Wife while the said Order subsisted,

No Action of Adherence competent

subsisted, which Right and Interest shall remain vested in her, exclusive of her Husband's Jus mariti and Right of Administration; nor shall it affect any Right or Interest acquired by a Third Party during such Period, or any Third Party through or from her, while the said Order subsisted; and until such Order be recalled it shall not be competent for the Husband to institute an Action of Adherence against his Wife; and the Lord Ordinary shall direct that Publication of its Recal be made in manner hereinbefore provided. while Order subsists.

4. After an Interlocutor of Protection is pronounced, and duly intimated, the Property of the Wife as aforesaid shall belong to her as if she were unmarried: Provided always, that such Protection shall not extend to Property acquired by the Wife of which the Husband or his Assignee or Disponee has before the Date of presenting said Petition obtained full and complete lawful Possession, nor shall such Protection affect the Right of any Creditor of the Husband over Property which he has before the Date thereof duly attached by Arrestment, followed by a Decree of Forthcoming, or which such Creditor has before the said Date duly poinded, and of which he has carried through and reported a Sale. After Interlocutor of Protection pronounced, Property of Wife to belong to her as if unmarried.

5. If any such Order of Protection be made and intimated, it shall have the Effect of a Decree of Separation *a mensâ et thoro* in regard to the Property, Rights, and Obligations of the Husband and of the Wife, and in regard to the Wife's Capacity to sue and be sued. Effect of Order of Protection.

6. After a Decree of Separation *a mensâ et thoro* obtained at the Instance of the Wife, all Property which she may acquire, or which may come to or devolve upon her, shall be held and considered as Property belonging to her, in reference to which the Jus mariti and Husband's Right of Administration are excluded, and such Property may be disposed of by her in all respects as if she were unmarried, and on her Decease the same shall, in case she shall die intestate, pass to her Heirs and Representatives, in like Manner as if her Husband had been then dead; provided that if any such Wife should again cohabit with her Husband all such Property as she may be entitled to when such Cohabitation shall take place shall be held to her separate Use, and the Jus mariti and Right of Administration of her Husband shall be excluded in reference thereto, subject, however, to any Agreement in Writing made between herself and her Husband; and the Wife shall, while so separate, be capable of entering into Obligations, and be liable for Wrongs and Injuries, and be capable of suing and being sued, as if she were not married; and her Husband shall not be liable in respect of any Obligation or Contract she may have entered into, or for any wrongful Act or Omission by her, or for any Costs she may incur as Pursuer or Defender of any Action, after the Date of such Decree of Separation and during the Subsistence thereof; provided that where upon any such Separation Aliment has been decreed or ordered to be paid to the Wife and the same shall not be duly paid by the Husband, he shall be liable for Necessaries supplied for her Use. In case of Separation Property of Wife to belong to her exclusively of the Jus mariti, &c.; also for Purposes of Contract and suing.

7. In

In Action of Divorce Adulterer to be Co-Defender.

7. In every Action of Divorce for Adultery at the Instance of the Husband it shall be competent to cite, either at the Commencement or during the Dependence thereof, as a Co-Defender along with the Wife, the Person with whom she is alleged to have committed Adultery; and it shall be lawful for the Court in such Action to decern against the Person with whom the Wife is proved to have committed Adultery for the Payment of whole or any Part of the Expenses of Process, provided he has been cited as aforesaid, and the same shall be taxed as between Agent and Client: Provided always, that it shall be competent to examine the Person with whom the Wife is said to have committed Adultery as a Witness in the Cause, notwithstanding he is called as a Co-Defender in the Action, and in the Power of the Court, on Cause shown, to dismiss such Action as regards such Co-Defender, if in their Opinion such a Course is conducive to the Justice of the Case.

Lord Advocate may enter Appearance in Actions for Nullity of Marriage, &c.

8. It shall be competent to the Lord Advocate to enter Appearance as a Party in any Action of Declarator of Nullity of Marriage or of Divorce; and it shall be competent to him to lead such Proof and maintain such Pleas as he may consider warranted by the Circumstances of the Case; and the Court shall, whenever they consider it necessary for the proper Disposal of any Action of Declarator of Nullity of Marriage or of Divorce, direct that it be laid before the Lord Advocate, in order that he may determine whether he should enter Appearance therein; and Expenses shall not be claimable by or against the Lord Advocate with reference to such Cases.

Court may make Orders as to Children.

9. In any Action for Separation *a mensâ et thoro* or for Divorce the Court may from Time to Time make such Interim Orders, and may, in the Final Decree, make such Provision as to it shall seem just and proper with respect to the Custody, Maintenance, and Education of any Pupil Children of the Marriage to which such Action relates.

In Consistorial Actions Summons to be served on Defender personally if not in Scotland.

10. In every Consistorial Action the Summons shall be served upon the Defender personally, when he is not resident within *Scotland:* Provided always, that if it be shown to the Satisfaction of the Court that the Defender cannot be found, Edictal Citation shall be deemed sufficient; but in every Case where the Citation is edictal the Pursuer shall also serve the Summons on the Children of the Marriage, if any, and on One or more of the Next of Kin of the Defender, exclusive of the Children of the Marriage, when the said Children and Next of Kin are known, and resident within the United Kingdom, and such Children and Next of Kin, whether cited or so resident or not, may appear and state Defences to the Action.

Not necessary to institute an Action of Adherence against Defender prior to Action for Divorce.

11. It shall not be necessary, prior to any Action for Divorce, to institute against the Defender any Action of Adherence, nor to charge the Defender to adhere to the Pursuer, nor to denounce the Defender, nor to apply to the Presbytery of the Bounds, or any other Judicature, to admonish the Defender to adhere.

Terce claimable from Burgage Property.

12. The Widow of any Person who shall, after the passing of this Act, die infeft in Property held by Burgage Tenure shall be entitled

entitled to Terce therefrom; and the like Proceedings as to Service and Kenning before the Sheriff shall be competent in such a Case as are competent with reference to Property in respect of which Terce might have been claimed prior to the passing of this Act.

Lord Ordinary to take Proofs in Consistorial Actions.

13. The Forty-first Section of the Act of the First Year of His late Majesty *William* the Fourth, Chapter Sixty-nine, in so far as it enacted that "it shall be lawful for His Majesty's Principal "Secretary of State for the Home Department to appoint from "Time to Time such Number of Persons, being Sheriffs-Depute "of Counties as he shall think fit, to take Proofs in Consistorial "Causes, which Duty the Persons so appointed shall perform;" and the Second Section of the Act of the Sixth and Seventh Years of His late Majesty *William* the Fourth, Chapter Forty-one, shall be and the same are hereby repealed; and in place thereof it is hereby enacted, That where Proof in Consistorial Actions shall be allowed, a Diet of Proof shall be appointed, at which the Evidence shall be led before the Lord Ordinary, and he shall take himself, and either write down with his own Hand the oral Evidence, in which Case it shall be read over to the Witness by the Judge in open Court, and shall be signed by the Witness, if he can write, or the Lord Ordinary shall record the Evidence by dictating it to a Clerk, in which Case it shall, in like Manner, be read over and signed; or the Lord Ordinary shall cause it to be taken down and recorded in Shorthand by a Writer skilled in Shorthand Writing, to whom the Oath De fideli administratione officii shall be administered, and the Lord Ordinary may, if he think fit, dictate to the Shorthand Writer the Evidence which he is to record; and the said Shorthand Writer shall afterwards write out in full the Evidence so taken by him; and the Notes of the Judge, or the extended Notes of such Writer, certified by the presiding Judge to be correct, shall be the Record of the oral Evidence in the Cause; and the Lord Ordinary shall take a Note of the Documents adduced, and any Evidence, whether oral or written, tendered and rejected, with the Ground of such Rejection; and any Ruling of the Lord Ordinary in reference to the Admission or Rejection of Evidence may be recalled or altered by the Inner House, under a Reclaiming Note against the final Interlocutor of the Lord Ordinary, disposing of the Merits of the Cause; and the Diet of Proof may be adjourned by the Lord Ordinary, if he shall consider it proper and reasonable so to do; but the Proofs shall be taken as far as may be continuously, and with as little Interval as the Circumstances or the Justice of the Case will admit of: Provided always, that it shall be competent to the Lord Ordinary, where any Witness or Haver is resident beyond the Jurisdiction of the Court, or by reason of Age, Infirmity, or Sickness is unable to attend the Diet of Proof, to grant Commission to any Person competent to take and report in Writing, according to the existing Practice, the Evidence of such Witness or Haver.

Payment to certain Sheriffs.

14. The Commissioners of Her Majesty's Treasury shall annually pay to each of *John Cay* Esquire, Sheriff of the County of *Linlithgow*, *John Tait* Esquire, Sheriff of the Counties of

Kinross and *Clackmannan*, *Erskine Daniel Sandford* Esquire, Steward of the Stewartry of *Kirkcudbright*, and Sheriff of the County of *Wigton*, *Robert Hunter* Esquire, Sheriff of the Counties of *Dumbarton* and *Bute*, and *Benjamin Robert Bell* Esquire, Sheriff of the Counties of *Banff*, *Elgin*, and *Nairne*, out of Monies to be voted by Parliament for that Purpose, a Sum equal to One Fifth of the total Amount which shall be ascertained by the Queen and Lord Treasurer's Remembrancer in Exchequer to have been paid annually, on an average of the last Three Years, to the Sheriffs Commissary, in respect of Proofs taken by them in Consistorial Causes; but such Sum shall only be paid as long as the said Persons shall hold the Office of Sheriff in any County in *Scotland*, and no longer.

Actions of Aliment.

15. Actions of Aliment in the Court of Session between Husband and Wife shall not be considered Inner House Causes, but shall be considered and disposed of in like Manner as other Consistorial Causes, except as herein-after provided as to Decrees in Absence; and Actions of Aliment at the Instance of other Parties shall not be considered Inner House Causes, but shall be disposed of by the Lord Ordinary (subject in both Cases to Reclaiming Note in Common Form against his Interlocutors) in the same Way as such Causes are at present disposed of by the Judges of the Inner House: Provided always, that all Actions for Aliment shall be deemed Summary Causes both in the Outer and in the Inner House, and that where no Appearance is entered for the Defender, Decreet shall be pronounced in Absence without Proof, as in other Cases before the Court of Session.

When a married Woman succeeds to Property, &c., Husband or Creditor not entitled to claim the same.

16. When a married Woman succeeds to Property, or acquires Right to it by Donation, Bequest, or any other Means than by the Exercise of her own Industry, the Husband or his Creditors, or any other Person claiming under or through him, shall not be entitled to claim the same as falling within the Communio bonorum, or under the Jus mariti or Husband's Right of Administration, except on the Condition of making therefrom a reasonable Provision for the Support and Maintenance of the Wife, if a Claim therefor be made on her Behalf; and in the event of Dispute as to the Amount of the Provision to be made, the Matter shall, in an ordinary Action, be determined by the Court of Session according to the Circumstances of each Case, and with reference to any Provisions previously secured in favour of the Wife, and any other Property belonging to her exempt from the Jus mariti: Provided always, that no Claim for such Provision shall be competent to the Wife if before it be made by her the Husband or his Assignee or Disponee shall have obtained complete and lawful Possession of the Property, or, in the Case of a Creditor of the Husband, where he has before such Claim is made by the Wife attached the Property by Decree of Adjudication or Arrestment, and followed up the said Arrestment by obtaining thereon Decree of Furthcoming, or has poinded and carried through and reported a Sale thereof.

Court of Session may make Acts of Sederunt.

17. The Court of Session are hereby authorized and empowered to make from Time to Time such Orders and Regulations

tions as to Forms of Process by Acts of Sederunt as they may consider necessary for carrying into execution the Purposes of this Act.

Repeal of Laws inconsistent herewith.

18. All Laws, Statutes, and Usages are hereby repealed in so far as the same are inconsistent with the Provisions of this Act, but no further or otherwise.

Interpretation of Terms.

19. The following Words and Expressions, when used in this Act, shall, in the Construction thereof, be interpreted as follows, except where the Nature of the Provision or the Context of the Act shall exclude or be repugnant to such Construction; that is to say, the Expression "Lord Ordinary" shall include his Successor; the Word "Property" shall include and apply to all Property falling under the Jus mariti; the Expression "Consistorial Action" shall include Actions of Declarator of Marriage, of Declarator of Nullity of Marriage, of Declarator of Legitimacy and Bastardy, Actions of Separation *a mensâ et thoro*, of Divorce and of Adherence, and of putting to Silence, and Actions of Aliment between Husband and Wife instituted in the Court of Session.

Short Title.

20. This Act may in all Proceedings be cited as "The Conjugal Rights (*Scotland*) Amendment Act, 1861."

Commencement of Act.

21. This Act shall come into operation on the First Day of *November* now next ensuing, and not before.

CAP. LXXXVII.

An Act to amend the Metropolitan Building Act (1855).

[6th *August* 1861.]

17 & 18 Vict. c. cvii.

'WHEREAS by "the Exhibition of 1851 Roads and Lands Act" all Buildings erected or to be erected by "the Commissioners for the Exhibition of 1851" were exempted from the Operation of the Acts then in force for regulating the Construction of Buildings in the Metropolis and its Neighbourhood: And whereas the said last-mentioned Acts were repealed by "the Metropolitan Building Act, 1855," and new Regulations for the Construction of Buildings substituted; but Doubts are entertained whether the Exemption provided by the said first-mentioned Act is continued by the said Building Act of 1855: And whereas it is expedient that such Doubts should be removed:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisions of 18 & 19 Vict. c. 122. not to apply to Buildings of Commissioners for the Exhibition of 1851.

1. The First Part of the Metropolitan Building Act, 1855, containing the Regulations relating to the Construction of Buildings in the Metropolis, shall not, nor shall any Provision therein contained, apply to any Buildings erected or to be erected by or with the Sanction of the Commissioners for the Exhibition of 1851 on any Lands belonging to them, and purchased in pursuance of any Power vested in them by Charter or Act of Parliament, with the Exception of such Streets or Blocks of Buildings as may be

erected by them, or with their Sanction, as private Dwelling Houses.

Short Title.

2. This Act may be cited for all Purposes as the "Metropolitan Building Amendment Act, 1861."

CAP. LXXXVIII.

An Act to vest in the Commissioners of Her Majesty's Works and Public Buildings a Portion of *Saint James's Park* as a Site for Public Offices. [6th *August* 1861.]

'WHEREAS by the Public Offices Extension Act, 1859, a certain Piece of Land forming Part of *Saint James's Park*, and distinguished in the Schedule to the said Act by the Nos. 69, 70, and 71, is appropriated as a Site for certain Public Offices: And whereas further Provisions are required for transferring the said Premises to the Commissioners of Her Majesty's Works and Public Buildings for the Purposes of the said Act, and for making Compensation in respect of the said Transfer:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Transfer of Premises named to Commissioners of Works.

1. From and after the passing of this Act all the Estate, Right, and Interest of Her Majesty, Her Heirs and Successors, in the said Premises numbered as aforesaid shall be transferred to and absolutely vested in the Commissioners of Her Majesty's Works and Public Buildings, and it shall be lawful for the said Commissioners to appropriate the said Premises for any of the Purposes of the said Public Offices Extension Act, 1859.

Compensation to be made for such Transfer.

2. Compensation shall be made to the Land Revenues of the Crown, in respect of the Transfer of the said Premises, in manner following; that is to say, whenever the annual Produce of the said Revenues ceases to be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and is retained by the Crown as Part of its hereditary Revenues, the Value of the Premises hereby transferred, exclusive of the Value of any Buildings erected thereon, shall be determined by Arbitration, and the Amount of such Value when determined shall be deducted from the Amount for the Time being chargeable upon the said Revenues in respect of Advances made out of the Consolidated Fund, or, if there be no such Amount then chargeable, shall be paid to the Account of the said Revenues.

CAP. LXXXIX.

An Act to increase the Amount payable out of the Revenues of *India* in respect of the Retiring Pay, Pensions, and other Expenses of that Nature, of Her Majesty's *British* Forces serving in *India*. [6th *August* 1861.]

4 G. 4. c. 71.

'WHEREAS by an Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, Chapter Seventy-one, it was enacted, that in order to provide

'for

'for the Charge incurred for Retiring Pay and Pensions, and 'other Expenses of that Nature, arising in respect of His 'Majesty's Forces serving in *India*, the annual Sum of Sixty 'thousand Pounds should from and after the Thirtieth Day of '*April* One thousand eight hundred and twenty-two be paid 'into the Receipt of His Majesty's Exchequer out of the Terri-'torial Revenues of the *East Indies:* And whereas the said 'annual Sum of Sixty thousand Pounds is insufficient to defray 'the above-mentioned Charge, and it is expedient to increase the 'Contribution to be paid out of the said Revenues to meet the 'said Charge:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That

Recited Act (4 Geo. 4. c. 71.) partly repealed.

1. So much of the said Act as relates to the Payment out of the Territorial Revenues of the *East Indies* of the said annual Sum of Sixty thousand Pounds in respect of the Retiring Pay, Pensions, and other Expenses of that Nature, arising in respect of Her Majesty's Forces serving in *India*, shall be and the same is hereby repealed.

Charge on Revenues of India for 1861–2.

2. From the Thirty-first Day of *March* One thousand eight hundred and sixty-one until the Thirty-first Day of *March* One thousand eight hundred and sixty-two there shall be paid out of the Revenues of *India*, to the Account of Her Majesty's Exchequer at the Bank of *England*, in respect of the above-mentioned Charge, and in lieu of the said annual Sum of Sixty thousand Pounds, a Sum calculated at the Rate of Three Pounds Ten Shillings *per* Head *per Annum* upon the Number of Her Majesty's *British* Forces chargeable upon the said Revenues of *India*, exclusive of the Number at the Depôts or on Passage, as shown by the Monthly Muster Rolls, the Payment to be made Monthly, and to be calculated upon the Number shown in the last Monthly Muster Rolls received in *England* before each Month for which Payment is to be made.

CAP. XC.

An Act to make Arrangements as to the Disposal and Management of Property belonging to the University of *Edinburgh;* and to regulate the Appropriation and Application of the Annuity of Two thousand five hundred Pounds payable from the Revenues of the Harbour and Docks of *Leith*, under the Authority of an Act passed in the First and Second Years of *Victoria*, Chapter Fifty-five. [6th *August* 1861.]

'WHEREAS by an Act passed in the First and Second 'Years of the Reign of Her present Majesty, Chapter 'Fifty-five, intituled *An Act to regulate and secure the Debt* 1 & 2 Vict. c. 55. '*due by the City of* Edinburgh *to the Public, to confirm an* '*Agreement between the said City and its Creditors, and to* '*effect a Settlement of the Affairs of the said City and the* '*Town*

'*Town of* Leith, it is by the Twenty-first Section thereof 'enacted, that an annual Sum of Two thousand five hundred 'Pounds from the Revenues of the Harbour and Docks of *Leith* 'shall be applied by the Lord Provost, Magistrates, and Council 'of the City of *Edinburgh* towards the Maintenance and Support 'of the College and Schools of the said City; namely, in de-'fraying the Obligations and Payments incumbent upon them in 'relation to the Debts due by the said City to the said College; 'in paying the Salaries and House Rents due to or on account 'of the Professors in the said College; in repairing and main-'taining the College Buildings, and in the other necessary Ex-'penses thereof; and the Remainder towards the Schools and 'educational Purposes of the said City: And whereas by an 'Act passed in the Twenty-first and Twenty-second Years of 'the Reign of Her present Majesty, Chapter Eighty-three, in-21 & 22 Vict. c. 83. 'tituled *An Act to make Provision for the better Government* 'and Discipline of the Universities of Scotland, *and improving* 'and regulating the Course of Study therein, and for the Union 'of the Two Universities and Colleges of Aberdeen, it is by the 'Fifth Section thereof enacted, that the Senatus Academicus of 'each of the Universities of *Scotland* shall superintend and 'regulate the Teaching and Discipline of the University, and 'administer its Property and Revenues, subject to the Control 'and Review of the University Court: And whereas it is ex-'pedient that the Proportion of the said annual Sum of Two 'thousand five hundred Pounds to be applied to the University 'of *Edinburgh* should be finally determined, and should be 'assigned to the University, and made payable to the Senatus 'Academicus thereof, to be administered by them in Terms and 'under the Authority of the said second-recited Act; and it is 'also expedient that farther Arrangements should be made re-'garding the Disposal and Management of other Property of the 'University of *Edinburgh* and of the Remainder of the said 'annual Sum of Two thousand five hundred Pounds:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Appropriation of Annuity of 2,500*l.* in first-recited Act mentioned.

1. The annual Sum of Two thousand five hundred Pounds from the Revenues of the Harbour and Docks of *Leith*, in the said first-recited Act mentioned, shall be paid by the Queen's and Lord Treasurer's Remembrancer of the Exchequer in *Scotland* in the Manner and Proportions following; viz., the Sum of Two thousand one hundred and seventy Pounds, Portion thereof, shall be paid to the Senatus Academicus of the University of *Edinburgh*, for the Purposes of the said University, including therein the Payment of such Bursaries as were before the passing of this Act chargeable on the said annual Sum; and the said Lord Provost, Magistrates, and Council of the City shall be freed and relieved from all Obligations to or for the University for and in respect of the said Sum of Two thousand five hundred Pounds payable after the Date of this Act; and the Remainder of the said

annual

annual Sum of Two thousand five hundred Pounds, being Three hundred and thirty Pounds, shall be paid to the Lord Provost, Magistrates, and Council of the City of *Edinburgh*, and shall be applied by them towards the Maintenance and Support of the Schools of the said City; and the said Senatus Academicus, and the said Lord Provost, Magistrates, and Council, respectively, shall transmit annually to the Commissioners of Her Majesty's Treasury an Account of the Expenditure of the said Sums of Two thousand one hundred and seventy Pounds and Three hundred and thirty Pounds payable to them respectively as aforesaid.

First Payments at Martinmas 1861.

2. The First Payments to the Senatus Academicus of the University of *Edinburgh*, and to the Lord Provost, Magistrates, and Council of the City of *Edinburgh*, respectively, in pursuance of this Act, shall be made at the Term of *Martinmas* One thousand eight hundred and sixty-one, for the Half Year then ending.

Certain Properties and Revenues enumerated to be transferred to the Senatus.

3. The several Properties and Revenues which are enumerated in the Schedule (A.) hereunto annexed shall be and the same are hereby transferred to and vested in the Senatus Academicus of the University of *Edinburgh*, for the Purposes of the said University, subject to the several Burdens and Obligations affecting the same, and to be managed by the Senatus of the said University in Terms of the said second-recited Act; and the Proportion of the Annuities on Bonds of the said City, payable under the Bequest of Doctor *William Thomson* to the Lecturer on Mineralogy under the said Bequest, shall be paid to the Professor of Natural History in the University for the Time being, as such Lecturer.

Certain Properties and Revenues to be held by City for Support of Schools.

4. The several Properties and Revenues held by the Lord Provost, Magistrates, and Council of the City of *Edinburgh*, in trust for the said University solely, or for the University and other Purposes, which are enumerated in the Schedule (B.) hereunto annexed, including the Sums falling due at the Term of *Lammas* or *Martinmas* (as the Case may be) One thousand eight hundred and sixty-one, shall be held and applied by the said Lord Provost, Magistrates, and Council towards the Maintenance and Support of the Schools of the said City, subject to the several Burdens and Obligations affecting the same.

Short Title.

5. This Act may for all Purposes be cited as "The *Edinburgh* University Property Arrangement Act, 1861."

SCHEDULES.

SCHEDULE (A.)

1. The Site of the Buildings of the University of Edinburgh, with the whole Buildings thereon, Parts and Pertinents thereof, and Furniture and Museums therein, so far as now belonging to or vested in the City.

2. Bond of Annuity by the City for One thousand two hundred and fifty Pounds, being Amount of Mortification by Sir William Pulteney as a Foundation for establishing a Professorship of Agriculture in the University, with the Annuities amounting to Thirty-seven Pounds Ten Shillings payable thereon, including the Sums falling due at the Term of Lammas One thousand eight hundred and sixty-one.

3. Bonds

3. Bonds of Annuity by the City of Edinburgh for One thousand four hundred and ninety Pounds for Amount of Bequest of Doctor William Thomson, in the Hands of the City, for the Promotion of Mineralogical Science in the University, with the Annuities payable thereon, amounting to Forty-four Pounds Fourteen Shillings, including the Sums falling due at the Term of Lammas One thousand eight hundred and sixty-one, and the Sum of Nineteen Pounds Fifteen Shillings and Elevenpence, being the Balance in the Hands of the City applicable to the Purposes of the said Bequest at the Date of this Act.

4. The Balance of One hundred and eighty-one Pounds Fourteen Shillings and Eightpence, appearing in the published Accounts of the said Lord Provost, Magistrates, and Council as outstanding at the Fourteenth Day of September One thousand eight hundred and sixty to the Credit of the Account of Income and Expenditure of the said annual Sum of Two thousand five hundred Pounds, and of the several Properties and Revenues enumerated in Schedule (B.), subject to such Alteration of the said Balance as may arise on an Account of the said annual Sum of Two thousand five hundred Pounds, and of the Income arising from the Properties and Revenues enumerated in Schedule (B.) applicable to the Period from the Fourteenth Day of September One thousand eight hundred and sixty to the Term of Martinmas One thousand eight hundred and sixty-one, such Account to be adjusted at the Sight and to the Satisfaction of the Commissioners of Her Majesty's Treasury, and the Balance, when ascertained, to be paid over to the Senatus Academicus.

SCHEDULE (B.)

1. Mortcloth Dues at Greyfriars Burying Ground.

2. Ground Annuals and Superiorities, with the Casualties or Compositions belonging thereto, Tiends Tiend Duties, and Tack Duties, such Ground Annuals, Superiorities, Tiends, Tiend Duties, and Tack Duties consisting of the following Items:

1. Ground Annuals and Superiorities in and about the City, the Ground Annuals and Feu Duties from which amount to Nine Pounds Thirteen Shillings and Eleven Twelfths of a Penny:
2. Superiorities in the Country, the Feu Duties from which amount to Eleven Pounds Nineteen Shillings and Twopence Eleven Twelfths of a Penny:
3. The Teinds in the Parishes of Sprouston, including Lempitlaw and Monimail, the Tack Duties of which presently amount together to Thirty-eight Pounds Eighteen Shillings and Sixpence Ten Twelfths of a Penny:
4. Property in North College Street, Edinburgh, the Tack Duties or Rents of which presently amount to Fifty-one Pounds a Year:
5. Bonds of Annuity by the City for One thousand eight hundred Pounds, being the Price of the Patronages of Currie, Fala, and Wemyss, with the Annuities payable thereon, amounting to Fifty-four Pounds a Year.

CAP. XCI.

An Act to amend the Laws relating to the Inland Revenue.

[6th *August* 1861.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

As to Excise.

18 & 19 Vict. c. 38.

1. 'Whereas by an Act passed in the Eighteenth and Nineteenth Years of Her Majesty's Reign, Chapter Thirty-eight, certain Restrictions are imposed on the Sale of Methylated Spirit, and it is expedient to remove such Restrictions in part, and to make other Regulations in regard to the Sale of Methylated Spirit by Persons who shall be duly licensed in that Behalf under this Act:' Be it enacted, That any Person, not being a Distiller or Rectifier of Spirits, or a Dealer in or Retailer of Beer, Spirits, Wine, or Sweets, may take out an Excise Licence authorizing him to receive and sell Methylated Spirit in the Quantity allowed by this Act, upon Payment of the annual Duty on such Licence of Two Pounds and Two Shillings; and every Person taking out such Licence shall be called "a Retailer of Methylated Spirit;" and so far as regards any Person duly licensed to retail Methylated Spirit under the Provisions of this Act, and so far also as regards any Person who shall purchase any such Spirit from such licensed Person, and the Spirit so purchased, Sections Eight, Ten, and Sixteen of the said last-mentioned Act shall be and the same are hereby repealed.

Methylated Spirit may be retailed under Licence for that Purpose.

Licences to be renewed annually.

2. Every Licence granted under this Act for the Sale of Methylated Spirit shall be renewed on the First Day of *October* in every Year, and shall be granted and renewed in like Manner as other Excise Licences are granted and renewed, and under and subject to the Provisions and Regulations of the Act passed in the Sixth Year of the Reign of King *George* the Fourth, Chapter Eighty-one.

Conditions to be observed by Retailer of Methylated Spirit.

3. No Person licensed as aforesaid shall sell or deliver any greater Quantity of Methylated Spirit than One Gallon at a Time to or for the Use of the same Person; nor shall such licensed Person receive into or have in his Stock, Custody, or Possession a greater Quantity than Fifty Gallons of such Spirit at one and the same Time; or receive into his Stock, Custody, or Possession any such Spirit otherwise than from a Distiller or Rectifier of Spirits, or licensed Person specially authorized to make Methylated Spirit under the Provisions of the said Act of the Eighteenth and Nineteenth Years of Her Majesty, and accompanied by a proper Permit or other such Document as the Commissioners of Inland Revenue may order or direct to be used to accompany such Spirit on the Removal thereof, nor until he shall have made Entry according to the Laws of Excise in force in relation to Entries of the particular Rooms or Places in which he intends to keep

keep and sell such Spirit; nor shall any such Person licensed under this Act keep or sell any such Spirit in any Room or Place not duly entered as aforesaid; and provided always, that every such Person licensed as last mentioned shall at all reasonable Times produce the whole of his Stock of such Spirit to any Officer of Excise who shall desire to examine the same, and shall keep such Account of the Stock and Sale of such Spirit as the Commissioners of Inland Revenue shall order and direct from Time to Time; and if any Person licensed under this Act shall offend in any of the Particulars in this Clause mentioned, he shall forfeit for every Offence the Sum of Fifty Pounds; and all Spirit received into or found in his Stock, Custody, or Possession contrary hereto shall be forfeited, and may be seized by any Officer of Excise.

Penalty for offending contrary to this Section.

Distillers making Methylated Spirit may supply licensed Makers of such Spirit.

4. It shall be lawful for any Distiller duly authorized to make Methylated Spirit according to the Provisions of the said Act of the Eighteenth and Nineteenth Years of Her Majesty, Chapter Thirty-eight, to sell, supply, and deliver such Spirit to any licensed Person authorized as aforesaid, and in the same Quantity and subject to the same Restrictions and Regulations with respect to Requisitions, Permits, or otherwise as are specified and provided in the above-mentioned Act, or directed by the Commissioners of Inland Revenue to be observed with respect to Methylated Spirit supplied to Persons authorized by the said Commissioners to receive and use the same; and all such Spirit so sold, supplied, or delivered by any such Distiller, or received by such licensed Person as aforesaid, shall be entered in the Stock Account of such Distiller or licensed Person respectively, directed to be kept by the Seventh Section of the said Act.

Penalty for selling Methylated Spirit without Licence.

5. Every Person, not being a Distiller or Rectifier of Spirits, or other Person duly authorized or specially licensed by the Commissioners of Inland Revenue to mix and make Methylated Spirit, who shall sell any such Spirit in any Quantity without having in force a Licence in that Behalf granted under the Authority of this Act, shall forfeit the Sum of Fifty Pounds over and above all other Penalties to which he may be liable under any other Act or Acts in force.

Methylated Spirit not to be prepared or sold as a Beverage.

6. If any Person whatever shall colour, purify, flavour, mix, or prepare, or attempt to colour, purify, flavour, mix, or prepare, any Methylated Spirit in any Manner to fit, or with Intent to fit, such Spirit for Use as a Beverage, or for mixing with any Beverage, or shall sell any such Spirit, whether coloured, purified, flavoured, mixed, or prepared in any Manner or not, as and for a Beverage, or mixed with any Beverage, he shall forfeit for every such Offence the Sum of One hundred Pounds, and the Spirit shall also be forfeited.

New Rates of Drawback on Beer exported in lieu of former Rates.

7. In lieu of the Drawbacks now payable upon the Exportation of Beer from the United Kingdom to Foreign Parts as Merchandise, there shall be allowed and paid in respect of all Beer which shall be so exported at any Time after the passing of this Act, whensoever the same may have been brewed, the following Rates of Drawback; (that is to say,)

For

For and upon every Barrel of Thirty-six Gallons, and so in proportion for any greater Quantity of Beer brewed or made by any entered or licensed Brewer of Beer for Sale in the United Kingdom, in the brewing of which Beer the Worts used before Fermentation were of the Specific Gravity of not less than One thousand and forty Degrees, the Sum of Four Shillings:

And for every additional Five Degrees of Specific Gravity up to the Specific Gravity of One thousand one hundred and twenty-five Degrees, the further Sum of Sixpence *per* Barrel:

Provisions of former Laws to apply.

Which said Drawback by this Act granted shall be ascertained, allowed, and paid in the like Manner as by the Laws in force at the Time of the passing of this Act any former Drawback on the Exportation of Beer is or may be ascertained, allowed, and paid respectively; and all Provisions, Regulations, Penalties, and Forfeitures now in force in relation to any such former Drawback shall be observed, applied, and enforced in respect to the Drawback by this Act granted, in as full and ample a Manner as if the same had been herein repeated and re-enacted with reference to the said last-mentioned Drawback.

Not necessary to take out Refreshment House Licence for House not open after Ten at Night.

8. For the Amendment of Two several Acts passed in the last Session of Parliament, Chapter Twenty-seven and Chapter One hundred and seven, be it enacted, That no Person shall be compellable to take out a Licence under either of the said Acts to keep a Refreshment House whose House, Room, Shop, or Building shall not be kept open for public Refreshment, Resort, and Entertainment after the Hour of Ten of the Clock at Night; and the said Acts shall be read and construed as if the Word "Ten" had been substituted for the Word "Nine" in the Sixth Section of the said Acts respectively.

Lower Duty on Refreshment Licences for Houses under 30*l.* annual Value.

9. And in lieu of the Duties chargeable under the said last-mentioned Acts respectively for every Licence to keep a Refreshment House there shall be charged the following Duties; that is to say,

If the House and Premises in respect of which such Licence shall be granted shall in *England* be under the Rent and Value or in *Ireland* be under the Value of Thirty Pounds a Year, the Duty of Ten Shillings and Sixpence:

And if the same shall be of the Rent or Value of Thirty Pounds a Year or upwards, the Duty of One Pound and One Shilling:

Allowance of Duty paid for Refreshment House Licence to be made on taking out Wine Licence.

And whenever any Person who shall have taken out a Licence to keep a Refreshment House, not being a House open after Ten o'Clock at Night, shall apply for and obtain a Licence under either of the said Acts to sell therein by Retail Foreign Wine to be consumed in such House, he shall be allowed an Abatement at the Rate *per Annum* herein-after mentioned from the Duty chargeable for such last-mentioned Licence in respect of the same Period of Time or Portion of the Year for which he shall take out the said Licence to retail Wine; (that is to say,)

Where

	£	s.	d.
Where the House and Premises in respect of which such Licences shall be granted shall in *England* be under the Rent and Value or in *Ireland* under the Value of Thirty Pounds a Year, an Abatement of - - - - - - - -	0	7	4
And where the same shall be of the Rent or Value of Thirty Pounds and under the Rent or Value of Fifty Pounds a Year, an Abatement of -	0	17	10
And where the same shall be of the Rent or Value of Fifty Pounds a Year or upwards, an Abatement of - - - - - - - -	1	1	0

Provided always, that if any Person to whom any such Abatement as aforesaid shall have been made on taking out a Wine Licence shall keep open his House as a Refreshment House or shall sell therein any Wine or other Refreshment after the Hour of Ten of the Clock at Night, he shall be deemed to keep a Refreshment House without taking out and having in force a proper Licence in that Behalf; and also in respect of any Wine sold by him after the Hour aforesaid he shall be deemed to have sold the same without having a proper Licence in force duly authorizing him in that Behalf, and shall forfeit the Penalties imposed for such Offences respectively by the Ninth and Nineteenth Sections of the said Act of the last Session of Parliament, Chapter Twenty-seven.

Persons licensed to retail Beer not precluded from taking out Wine Licences.

10. 'And whereas an Act was passed in the last Session of 'Parliament, Chapter Twenty-seven, for granting to Her Majesty 'certain Duties on Wine Licences and Refreshment Houses, and 'Doubts have arisen whether Persons licensed to retail Beer in '*England* are precluded from taking out or having granted to 'them a Licence for the Sale of Wine under the said Act:' For the Removal of such Doubts be it declared and enacted, That nothing in the said Act or in any other Act or Acts contained shall be adjudged, deemed, or construed to preclude or disqualify any Person from taking out or having granted to him any Licence for the Sale of Wine under the said Act of the last Session of Parliament, by reason or on account of his being licensed for the Sale of Beer under any Act or Acts in that Behalf.

Retailers of Wine not subject to Penalty for having Wine, &c. in possession.

11. No Person licensed for the Sale of Wine under the Act passed in the last Session of Parliament, Chapter Twenty-seven, shall be subject or liable to any Penalty or Forfeiture under any Act relating to the retailing of Beer by reason or on account of his selling, dealing in, retailing, or receiving into, or having in his Possession any Wine or Sweets or Made Wines, or Mead or Metheglin, anything in any such Act or Acts as last mentioned to the contrary notwithstanding.

Penalty on Persons selling Beer by Retail in Scotland without being duly authorized and licensed.

12. 'And whereas Doubts exist as to the Penalties to which 'Persons are subject who sell Beer by Retail in *Scotland* without 'being duly authorized and licensed in that Behalf:' Be it enacted, That if any Person shall in *Scotland* sell Beer by Retail, that is to say, in any Quantity less than Four and a Half Gallons, or in less than Two Dozen reputed Quart Bottles, at One Time (whether

(whether to be drunk or consumed on the Premises or not), without having duly obtained a Certificate and also an Excise Licence respectively authorizing him to sell Beer under the Provisions of any Act or Acts in that Behalf, he shall forfeit (over and above any other Penalty to which he may be liable under such Act or Acts) the Sum of Twenty Pounds for every such Offence, and such Penalty hereby imposed shall be recovered, levied, mitigated, and applied in the Manner provided with respect to Excise Penalties under the Laws of Excise in that Behalf; and in any Information or other Proceeding for the Recovery of the Penalty hereby imposed it shall be sufficient to charge that the Defendant sold Beer by Retail without having duly obtained a Certificate and also an Excise Licence respectively authorizing him to sell Beer under the Provisions of the Statute in that Case made and provided, and it shall not be necessary further or otherwise to describe such Offence.

Exemptions as to the Sale of Beer or Spirits at Fairs or Races not repealed by 23 & 24 Vict. cc. 113. and 114.

13. 'And whereas by the Act passed in the Sixth Year of 'the Reign of King *George* the Fourth, Chapter Eighty-one, for 'granting Duties on Excise Licences, and by other Acts of 'Parliament now in force, certain Provisions, Exceptions, and 'Exemptions are made and contained with respect to the Sale 'of Spirits and Beer respectively, at lawful and accustomed Fairs 'and public Races: And whereas by Two several Acts passed 'in the last Session of Parliament, being respectively Chapters 'One hundred and thirteen and One hundred and fourteen, 'certain Enactments and Prohibitions are contained against 'the selling of Beer and Spirits respectively at any Place other 'than a Place specified in a Licence granted in that Behalf:' Be it declared and enacted, That nothing in the said Two several last-mentioned Acts, or either of them, contained shall be construed, adjudged, deemed, or taken to have repealed, altered, or affected any of the Provisions, Exceptions, or Exemptions contained in any Act or Acts in force at the Time of the passing of the said Two several Acts of the last Session of Parliament, or either of them, with respect to the selling of Beer or Spirits at Fairs or Races.

All Licences granted under the Acts relating to the retailing of Beer to expire on the 10th Oct. in each Year.

14. 'Whereas the Licences authorizing the retailing of Beer 'granted under the Authority of Three several Acts passed 'respectively in the First Year of the Reign of His late Majesty 'King *William* the Fourth, Chapter Sixty-four, in the Fourth 'and Fifth Years of the same Reign, Chapter Eighty-five, and 'in the Third and Fourth Years of the Reign of Her present 'Majesty, Chapter Sixty-one, are directed by the first of the 'said Acts to be dated on the Day when the same shall be 'granted, and to expire at the End of Twelve Calendar Months 'after the Day on which such Licences shall be dated, and it is 'expedient that all such Licences should expire at one and the 'same Period of the Year:' Be it enacted, That every Licence taken out under the said recited Acts on and after the Eleventh Day of *October* One thousand eight hundred and sixty-one shall be in force from the Day of the Date of such Licence until the Tenth Day of *October* next following the granting thereof; and

every Person who on the Tenth Day of *October* in the above-mentioned Year shall be the Holder of an unexpired Licence granted under the said recited Acts shall on the First Renewal of such Licence be allowed a proportionate Part of the Duty in respect of the unexpired Period of such Licence; and every Person who shall after the said Tenth Day of *October* take out a Licence under the said Acts for the First Time shall be entitled to the same on Payment of a proportionate Part of the Duty thereon in the same Manner as a Person commencing a Trade or Business for which an Excise Licence is required may now take out a Licence under the Provisions contained in the Seventeenth Section of the Act passed in the Sixth Year of the Reign of King *George* the Fourth, Chapter Eighty-one.

Racehorse Duty to be paid for Year ending 31st Dec. 1862, &c.

15. The Duty imposed by the Act of the Nineteenth and Twentieth Years of Her Majesty, Chapter Eighty-two, upon every Horse which shall start or run for any Plate, Prize, or Sum of Money or other Thing, and which shall be paid on or after the First Day of *January* in the Year One thousand eight hundred and sixty-two, shall free the Owner for the Time being of such Horse from any further Payment of the said Duty in respect of the same Horse during the Year ending the Thirty-first Day of *December* next after such Payment, and no longer.

No Penalty for letting Horse, &c. to convey Prisoner to Gaol.

16. No Penalty under the Fifteenth Section of the Act of the Sixteenth and Seventeenth Years of the Reign of Her Majesty, Chapter Eighty-eight, shall be deemed to be incurred in respect of the letting for Hire of any Horse or Carriage for the Purpose of conveying a Prisoner to or from any Prison, and used under such Letting solely for that Purpose.

Persons dealing in Game without Excise Licence to be liable to Penalty whether licensed by the Justices or not.

17. 'Whereas by the Fourteenth Section of the Act passed in 'the Twenty-third and Twenty-fourth Years of Her Majesty's 'Reign, Chapter Ninety, a Penalty of Twenty Pounds is im- 'posed upon any Person who shall obtain a Licence to deal in 'Game from the Justices of the Peace under the Provisions of 'certain Acts therein referred to, and who shall purchase or 'sell or otherwise deal in Game before he shall obtain a Licence 'to deal in Game under the Provisions of the Act in this Clause 'first mentioned:' Be it enacted, That the said Penalty shall be incurred by every Person who, under the Provisions of the said Acts so referred to as aforesaid, ought to obtain a Licence from the Justices of the Peace to deal in Game, and who shall purchase or sell or otherwise deal in Game before he shall obtain a proper Excise Licence under the Provisions of the said first-mentioned Act, whether he shall have obtained a Licence from the said Justices or not; and in any Information exhibited for Recovery of the said Penalty it shall be sufficient to allege, and upon the Trial thereof to prove, that the Defendant dealt in Game without the Licence required by the said first-mentioned Act.

Sect. 31. of 1 & 2 W. 4. c. 55. with respect to Penalties under the Illicit Dis-

18. 'And whereas an Act was passed in the First and Second 'Years of the Reign of King *William* the Fourth, Chapter 'Fifty-five, to consolidate and amend the Laws for suppressing 'the illicit making of Malt and Distillation of Spirits in *Ireland*, '(herein-after called the Illicit Distillation Act,) and by the

'Thirty-

'Thirty-first Section of the said Act it is enacted that all 'Penalties and Forfeitures imposed by the same Act may be 'sued for, prosecuted, and recovered by Action of Debt, Bill, 'Plaint, or Information in Her Majesty's Court of Exchequer in '*Dublin*, in the Name of Her Majesty's Attorney General, or 'in the Name of some Officer of Excise; or on Complaint to or 'before any One or more of Her Majesty's Justices of the Peace 'of the County, City, or Place wherein the Offence shall be 'committed: And whereas by an Act passed in the Twentieth 'and Twenty-first Years of Her Majesty's Reign, Chapter Forty, 'Officers of the Constabulary Force in *Ireland* are empowered 'to put in force the Powers and Authorities of the said Illicit 'Distillation Act, and by the Sixth Section of the said Act of 'the Twentieth and Twenty-first Years of Her Majesty it is 'enacted that all Proceedings under the said Illicit Distillation 'Act shall be conducted, and all Penalties and Costs under the 'same shall be sued for, levied, and recovered as by the Petty 'Sessions (*Ireland*) Act, 1851, is directed and provided: And 'whereas Doubts have arisen whether the Provision made by 'the last-mentioned Enactment for Proceedings under the said 'Petty Sessions Act has repealed or wholly superseded the Mode 'of Proceeding directed by the said Thirty-first Section of the 'said Illicit Distillation Act, and whether in any Proceedings for 'the Recovery of any Penalty or Forfeiture under the said last-'mentioned Act the Presence of Two or more Justices is re-'quisite:' For the Removal of all such Doubts, be it declared and enacted, That the Sixth Section of the said Act of the Twentieth and Twenty-first Years of Her Majesty shall not be construed to deprive any Court or any Justice of the Peace in *Ireland* of any Jurisdiction which such Court or Justice possessed before the passing of that Act in regard to any Offence committed against the Provisions of the said Illicit Distillation Act, and shall not extend to repeal, alter, or affect the Thirty-first Section of the said last-mentioned Act further than to provide the additional Mode of proceeding for Penalties and Costs in the said Sixth Section mentioned; and it shall be lawful for Two or more Justices sitting at Petty Sessions to hear and determine any Information or Complaint for any Offence committed against the said last-mentioned Act, and to do all Acts necessary to carry into effect any Judgment thereupon.

tillation Acts in Ireland, not repealed by Sect. 6. of 20 & 21 Vict. c. 40.

19. In case of any Information or Complaint exhibited by any Officer of Inland Revenue, or of any Proceedings at the Instance of any Officer, Head or other Constable of the Constabulary Force in *Ireland*, under the Provisions of the said Illicit Distillation Act, or of an Act passed in the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, Chapter Eighty-nine, or of an Act passed in the Twentieth and Twenty-first Years of the Reign of Her said Majesty, Chapter Forty, it shall be lawful for any such Officer and Constable respectively, or for any Person against whom any such Information, Complaint, or Proceeding shall have been exhibited or taken, who shall feel aggrieved by the Judgment given thereon, to appeal therefrom

Persons aggrieved by Judgment of Justices on Information under 1 & 2 W. 4. c. 55. 17 & 18 Vict. c. 89. 20 & 21 Vict. c. 40. may appeal.

therefrom to the Justices at the next General Quarter Sessions of the Peace which shall be holden for the County, Shire, Division, City, Town, or Place in which such Judgment so appealed against shall have been given next after the Expiration of Twenty Days from the giving of such Judgment, upon giving such Notices, and upon such Terms, Conditions, and Regulations, as are prescribed in Cases of Appeals by the several Acts passed respectively in the Seventh and Eighth Years of King *George* the Fourth, Chapter Fifty-three, the Fourth and Fifth Years of King *William* the Fourth, Chapter Fifty-one, and the Fourth Year of Her present Majesty, Chapter Twenty.

Justices in Ireland empowered to further mitigate the Penalty for Offences under Sect. 195 of 23 & 24 Vict. c. 114.

20. 'Whereas by Section One hundred and ninety-five of the 'Act passed in the Twenty-third and Twenty-fourth Years of 'Her Majesty's Reign, Chapter One hundred and fourteen, the 'Justice of the Peace by or before whom any Person may be 'convicted of any Offence in the said Section specified is thereby 'empowered to mitigate as he shall think proper the Penalty of 'One hundred Pounds imposed for such Offence, but not to a 'less Amount than One Fourth Part thereof, and it is expedient 'that the Power to mitigate such Penalty in *Ireland* should be 'extended:' Be it enacted, That it shall be lawful for the Justices who shall convict any Person of any such Offence as aforesaid in *Ireland* to mitigate, when they shall see Cause, the Penalty incurred for such Offence as they shall think fit, so as such Mitigation shall not in any Case reduce such Penalty to a less Sum than Six Pounds; and on Nonpayment of the said Penalty or the mitigated Amount thereof such Justices shall commit the Offender to Hard Labour in some Gaol or House of Correction within the County or Place for the Term and in the Manner and subject only to be discharged as in the said Section is mentioned.

Pending Appeal against Order of Justices refusing a Certificate to authorize Renewal of Excise Licence, &c. in Ireland, Appellant to deposit Duties for Excise Licence with Collector.

21. 'Whereas it is provided by the Second Section of an Act 'passed in the Eighteenth and Nineteenth Years of the Reign of 'Her present Majesty, Chapter Sixty-two, that when any Person 'shall appeal against an Order of Refusal of the Certificate 'required by such Person to entitle him to a Renewal of the 'Licence to sell Beer, Cider, or Spirituous Liquors in *Ireland*, 'the Licence affected by such Order shall remain in full Force 'and Effect unless and until the Court of Quarter Sessions or 'Recorder therein mentioned shall confirm the said Order of 'Refusal:' Be it enacted, That such Licence, on the Expiration of the Term for which the same was granted, shall remain in force only upon condition that the Appellant shall immediately on or before the Expiration of the said Licence deposit with the proper Collector of Inland Revenue the Amount of Excise Duties chargeable upon the said Appellant for Licence to sell Beer, Cider, or Spirituous Liquors respectively for the Year next ensuing the Expiration of the said first-mentioned Licence; and if the said Court of Quarter Sessions or Recorder shall confirm the said Order of Refusal, the Appellant shall be repaid by such Collector such Portion of the Excise Duties so deposited as aforesaid as he would be entitled to be repaid under the Twenty-

fourth Section of the Act of the Sixth Year of King *George* the Fourth, Chapter Eighty-one, in the Case of a Magistrate's Certificate expired and not renewed; and if the said Order of Refusal shall be reversed, the Money so deposited shall be applied in Payment for the Licences to be granted to the said Appellant.

Powers of 1 & 2 W. 4. c. 55. as to Seizure of private Stills, &c. in Ireland extended.

22. 'And whereas by an Act passed in the First and Second 'Years of the Reign of His late Majesty King *William* the 'Fourth, Chapter Fifty-five, Officers of Excise are authorized 'to search for private Stills, Wort, Wash, Pot Ale, Low Wines, 'or Singlings, or Spirits and Corn or Grain making into Malt, 'and to arrest and detain Persons discovered in the Place where 'private Distillation of Spirits or making of Malt is carrying on: 'And whereas it is expedient to extend the like Powers to 'Officers of Customs:' Be it enacted, That all the Powers, Authorities, and Privileges granted to Officers of Excise by the said recited Act may and shall be exercised by Officers of Customs, and by all Persons duly employed for the Prevention of Smuggling, or authorized by the Commissioners of Customs to seize Goods forfeited under the Laws of Customs, as fully and effectually as if the Clauses in the said Act had been repeated and re-enacted in the Body of this Act, and made to apply to Officers of Customs and the other Persons herein named.

Power to examine Stills or Retorts kept by Persons not being Distillers, &c.

23. 'Whereas by the Act passed in the Ninth and Tenth 'Years of the Reign of Her Majesty, Chapter Ninety, an Excise 'Licence is required to be taken out by every Person, not being 'a licensed Distiller, Rectifier, or Compounder of Spirits, or 'Vinegar Maker, who keeps or uses any Still or Retort:' Be it enacted, That it shall be lawful for any Officer of Excise at any Time (but if between the Hours of Eleven at Night and Five in the Morning then in the Presence of a Constable or other lawful Peace Officer) to enter into the Premises of every such Person who shall take out such Licence, or who shall use or keep any Still or Retort, and to examine any Still or Retort kept or used by such Person.

Charging of Excise Duty on Sugar used in brewing deferred until 1st July 1862.

24. 'And whereas by an Act passed in the Nineteenth and 'Twentieth Years of Her Majesty's Reign, Chapter Thirty-four, 'a Duty of Excise was imposed on Sugar used in the brewing 'or making of Beer, and by an Act passed in the Twenty-third 'and Twenty-fourth Years of Her Majesty's Reign, Chapter 'One hundred and thirteen, the charging of the said Duty was 'deferred until the First Day of *July* One thousand eight 'hundred and sixty-one, and it is expedient to further defer the 'same:' Be it enacted, That the charging of the said Duty of Excise on Sugar used as aforesaid shall be further deferred until the First Day of *July* One thousand eight hundred and sixty-two.

As to Stamps.

Stamp Duties in lieu of those now payable

25. In lieu of the Stamp Duties now payable on Protests and other Notarial Acts there shall be paid the Duties following; that is to say,

on Protests and other Notarial Acts.

Protest of any Bill of Exchange or Promissory Note, where the Stamp Duty on the Bill or Note does not exceed One Shilling -	The same Duty as on the Bill or Note.		
Protest of any other Bill of Exchange or Promissory Note, and Protest of any other Kind, and other Notarial Act whatsoever - -	£ 0	s. 1	d. 0
And for every Sheet or Piece of Paper, Parchment, or Vellum upon which the same shall be written, after the first, a further progressive Duty of -	0	1	0

Stamp Duty on certain Proxies reduced.

26. In lieu of the Stamp Duty of One Pound Ten Shillings which may by Law be now payable on any of the Instruments herein-after mentioned, there shall be charged as follows; that is to say,

For and in respect of any Letter or Power of Attorney or Commission, Factory, Mandate, or other Instrument in the Nature thereof, made for the sole Purpose of appointing, nominating, or authorizing any Person to vote as a Proxy, Commissioner, Mandatory, or otherwise, at any One Meeting of the Proprietors, Members, or Contributors to the Funds of any Institution established for the Purposes of Education or Charity, or of other Persons having the Direction or Control of the Affairs of the Institution, the Time of holding whereof shall be specified in such Instrument, or at any Adjournment of such Meeting, the Stamp Duty of Sixpence.

Adhesive Stamps may be used for Proxies.

27. The Stamp Duty of Sixpence granted by this Act and any former Act upon a Letter or Power of Attorney, Commission, Factory, Mandate, or other Instrument in the Nature thereof, may be denoted by an adhesive Stamp to be provided by the Commissioners of Inland Revenue and affixed to the Instrument, and cancelled by the Person signing the Instrument, by writing his Name, or the Initials thereof, upon or across the Stamp, together with the Date of the Day of the Meeting for voting at which the Instrument is made; but nothing herein contained shall relieve any Person from the Penalty incurred by making or signing any such Instrument on Paper not duly stamped, or by voting or attempting to vote under the Authority thereof, unless there shall be affixed thereto and cancelled as aforesaid the proper adhesive Stamp.

Stamp Duties to be collected under the Laws in force.

28. The Stamp Duties by this Act imposed, and also any other Stamp Duties which shall at any Time become payable under any Act of Parliament, and also any Fees by any Act now in force or any future Act directed to be collected or received by means of Stamps, shall respectively be raised, levied, collected, paid, and secured, under and by virtue of and subject to all the Powers, Provisions, Clauses, Regulations, Directions, Allowances, and Exemptions, Fines, Forfeitures, Pains, and Penalties, applicable thereto, for the Time being in force relating to Stamp Duties of the like Kind or Description respectively, or any Schedule thereto; all which Powers, Provisions, Clauses, Regulations, Directions, Allowances, and Exemptions, Fines, Forfeitures, Pains, and Penalties respectively, shall be of full Force and Effect with respect

respect to all such Duties and Fees respectively, and to the Vellum, Parchment, and Paper, Instruments, Matters, and Things, charged and chargeable therewith, or in respect whereof the same are to be paid, and to the Persons liable to the Payment thereof, so far as the same are or shall be applicable, in all Cases for which no express Provision is or shall be made, and shall be observed, applied, allowed, enforced, and put in execution for and in the raising, levying, collecting, and securing of the said Duties and Fees respectively, and otherwise in relation thereto, so far as the same shall not be superseded by and shall be consistent with any such express Provisions, as fully and effectually, to all Intents and Purposes, as if the same were specially enacted, *mutatis mutandis*, with reference to such Duties and Fees respectively.

Duty upon Renewals of certain Insurances repealed.

29. Section Eight of the Act passed in the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and eleven, so far as it relates to the Renewal or Continuance of any Assurance upon Death or personal Injury, shall be and the same is hereby repealed.

On Appointment of new Trustees where several Deeds are required, one only charged with full Duty, the others as Duplicates.

30. Where upon the Appointment of a new Trustee the Property which is the Subject of One and the same Settlement, or of Trusts created for the Benefit of the same Parties, is of various Kinds or Descriptions, or is held under different Titles, and it is necessary or desirable that it should be conveyed to or vested in the Trustee by means of several Deeds or Instruments, or where, upon any such Appointment, several Deeds or Instruments are made or executed for the Purpose only of transferring to and vesting in the Trustee the same Trust Property, if in any of such Cases One of the Deeds or Instruments shall be stamped with the Duty of One Pound Fifteen Shillings, it shall be sufficient if the others or other shall be stamped with the Duty that would by Law be chargeable on a Duplicate or Counterpart thereof; and on all the Deeds or Instruments being produced duly stamped accordingly it shall be lawful for the Commissioners of Inland Revenue, on being satisfied as to the Facts, to impress the Deeds or Instruments not having the Duty of One Pound Fifteen Shillings thereon with a particular Stamp to denote the Payment of such Duty on some other Instrument.

Duties on Duplicates and Counterparts and progressive Duties in certain Cases.

31. 'Whereas by an Act passed in the Thirteenth and Fourteenth Years of Her Majesty's Reign, Chapter Ninety-seven, certain Stamp Duties were imposed on a Duplicate or Counterpart of any Deed or Instrument chargeable with Stamp Duty under that Act, or any Act then in force, and also certain progressive Duties on any such Deed or Instrument, the said Duties respectively being regulated by the Amount of Stamp Duty otherwise chargeable on such last-mentioned Deed or Instrument, and on the original Deed or Instrument in the Case of a Duplicate or Counterpart:' For disposing of Doubts as to the Duties chargeable on any such Duplicate or Counterpart, and the progressive Duties on any Deed or Instrument, where, by any Act since passed or hereafter to be passed Stamp Duties, not being progressive Duties, have been or may be granted

or imposed on any Deed or Instrument, be it enacted, That the progressive Duties payable on any such last-mentioned Deed or Instrument, and the Stamp Duties on any Duplicate or Counterpart thereof, shall, in the Absence of any express Provision in that Behalf, be the same as would have been payable if the Stamp Duties on such Deed or Instrument had been imposed or granted by the aforesaid Act of the Thirteenth and Fourteenth Years of Her Majesty's Reign.

Adhesive Stamps may be affixed and cancelled by an authorized Officer of Inland Revenue.

32. In any Case where, under any Act of Parliament now or hereafter in force, it is or shall be competent to or incumbent upon any Person or Persons to affix to any Instrument chargeable with Stamp Duty an adhesive Stamp to denote such Duty, and to cancel the same, it shall be lawful for any Officer of Inland Revenue, duly authorized by the Commissioners of Inland Revenue in that Behalf, on any such Instrument being produced to him, to affix thereto the proper adhesive Stamp, and to cancel the same by any Means the Commissioners may think proper; and thereupon the said Instrument shall be deemed to be as well and sufficiently stamped as if the Stamp had been affixed and cancelled by the Person or Persons allowed or required by Law to affix and cancel the same, and as if the Instrument had been impressed with a Stamp denoting the same Amount of Duty as the Stamp so affixed: Provided that nothing herein contained shall authorize the stamping of any Instrument not allowed by Law to be stamped after it is made, signed, or issued, or after the Expiration of any Period by Law limited for stamping the same, nor in any way alter or affect the Law requiring the Payment of a Penalty on the stamping of any such Instrument.

Mode of cancelling adhesive Stamps.

33. In any Case where an adhesive Stamp used for denoting any Stamp Duty is required by Law to be cancelled by any Person, by Writing thereon his Name or the Name of his Firm, it shall be sufficient if, instead of the Name in full, the Initials thereof shall be so written, or shall be stamped or impressed in Ink thereon, together with any other Particulars specially required by Law to be written thereon, provided that by means thereof the Stamp shall be effectually obliterated and cancelled, so as not to admit of its being used again, anything in any Act to the contrary notwithstanding; and where the adhesive Stamp on any Foreign Bill or Promissory Note shall, on such Bill or Note being received by any Person who shall be or become the *bonâ fide* Holder thereof, be effectually obliterated, and shall purport and appear to be duly cancelled, the same shall, so far as relates to such Holder, be deemed to be sufficiently cancelled: Provided that where any such Bill or Note when so received by any such Person as last aforesaid shall have affixed thereto a proper and sufficient adhesive Stamp, but such Stamp shall not be duly cancelled, it shall be competent to the Holder to cancel the same as if he were the Person first negotiating the Bill or Note; and upon his so doing such Bill or Note shall be deemed to be duly stamped, and shall be as valid and as available by such Holder and any prior or subsequent Holder as it would have been if the Stamp had been affixed and cancelled as by Law required

required by the First Holder, anything in any Act to the contrary notwithstanding; but nothing herein contained shall relieve any Person who ought to cancel such Stamp from any Penalty incurred by not cancelling the same as required by Law.

Bills of Sale to be produced stamped on filing Copies, &c.

34. No Copy of any Bill of Sale of Personal Chattels shall be filed in any Court unless the Original shall be produced to the proper Officer with whom the Copy is to be filed, duly stamped with the Duty to which the same may be liable; and no Deed or Instrument liable to Stamp Duty shall be registered until the same is duly stamped.

Licences to Joint Stock Banks not required to specify the Names of more than Six Persons.

35. 'Whereas the Licences and Certificates granted to Bankers 'and Persons acting as Bankers in *Great Britain* and *Ireland* 'respectively, by or under the Authority of the Commissioners 'of Inland Revenue, are required by Law to specify, amongst 'other things, the Names and Places of Abode of all the Persons 'composing the respective Companies or Partnerships to whom 'they are granted:' Be it enacted, That in any Case where a Company or Copartnership of Bankers consists of more than Six Persons it shall be sufficient to specify in any such Licence or Certificate the Names and Places of Abode of any Six or more of such Persons who may be presented to the Commissioners or their Officer, or whom they or he may select for the Purpose, and to grant the Licence or Certificate to them as and for the whole of the Company or Copartnership, or otherwise to specify only the Name or Style of the Company or Copartnership, and to grant the Licence or Certificate to such Company or Copartnership in and by the said Name or Style, as the Commissioners or their Officer shall think fit; and every such Licence and Certificate respectively shall be as good, valid, and available as if the Names and Places of Abode of all the Members of the Company or Copartnership had been specified therein, and the Licence had been granted to them, anything in any Act of Parliament to the contrary notwithstanding; but this shall not in any way alter or affect the Provisions of any Act of Parliament whereby any Banking Company or Copartnership is required to make any Account or Return of the Names and Places of Abode of all the Members or Partners of such Company or Copartnership, and any other Particulars relating thereto.

Provision for assessing Income Tax on Interest and Dividends payable in United Kingdom arising out of Foreign Companies extended to Colonial Companies.

36. The Provision made by the Act passed in the Fifth and Sixth Years of Her Majesty's Reign, Chapter Eighty, Section Two, and the Act passed in the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter Thirty-four, Section Ten, for the assessing and charging the Income Tax on Interest, Dividends, or other annual Payments payable out of or in respect of the Stocks, Funds, or Shares of any Foreign Company, Society, Adventure, or Concern, shall be and the same is hereby extended and shall be applied to the assessing and charging of the Income Tax on all Interest, Dividends, or other annual Payments payable out of or in respect of the Stocks, Funds, or Shares of any Colonial Company, Society, Adventure, or Concern, and in respect of any Securities

Securities given by or on account of any such Colonial Company, Society, Adventure, or Concern, and which said Interest, Dividends, or annual Payments have been or shall be intrusted to any Person in the United Kingdom for Payment to any Persons, Corporations, Companies, or Societies in the United Kingdom; and for this Purpose the said Section Ten of the last-mentioned Act and this Enactment shall be read and construed together as One Enactment, in like Manner as if the Words "or Colonial" had been inserted and contained in the said Section Ten, immediately after the Word "Foreign," used therein with reference to any Company, Society, Adventure, or Concern.

Inspector or Surveyor to certify to Commissioners Cases in which Persons assessed are succeeded in their Trade or Business by other Persons, &c.

37. In any Case in which an Assessment shall be made under Schedule (D.) of the Acts relating to the Income Tax, and the Party assessed shall within the Year of Assessment cease to carry on the Concern in respect of which the Assessment shall be made, and shall be succeeded therein by another Person, it shall be lawful for the Inspector or Surveyor of the District within which the Change may take place, at any Time before the Expiration of Three Calendar Months from the Fifth Day of *April* next after such Change, to certify to the Commissioners for the District in which the Assessment shall have been made the Particulars thereof, and the Christian and Surname and Place of Residence of the Person assessed, and of the Successor to the Concern, and also the Date of the Change in the carrying on of the said Concern, if the same shall be known to the said Inspector or Surveyor; and upon the Receipt of such Certificate the Commissioners shall cause Notice to be given to the respective Parties of a Time and Place appointed for a Meeting of Commissioners for considering the same; and the Commissioners shall, upon the Examination of the respective Parties, if in Attendance, or upon such other Proof of the Facts as may be satisfactory to the said Commissioners, adjust and apportion the Assessment by charging the Successor with a fair Proportion thereof from the Period of his succeeding to the Concern and relieving the Person originally assessed from a like Amount.

Commissioners Determination final.

Recovery of adjusted Assessment.

38. The Determination of the Commissioners upon any such Certificate shall be final, and the Assessment so adjusted shall be recoverable from the respective Parties in like Manner as an Original Assessment; provided that if in any Case either of the said Parties shall have paid in respect of any Assessment so certified more than the Proportion which shall appear by the Determination of the Commissioners to be chargeable on him, then the Amount which shall have been so overpaid shall, when recovered from the Party liable, be paid to the Person by whom the Overpayment may have been made.

As to Land Tax.

All Surplus Land Tax collected in any Parish to

39. 'And whereas an Act was passed in the Sixth Year of 'the Reign of King *George* the Fourth, Chapter Thirty-two, to 'provide for the Application of Monies arising from the Excess

'or

'or Surplus of Land Tax assessed in certain Cases beyond the 'Quota or Proportion payable by the several Parishes or Places 'in *Great Britain* respectively, and it is expedient to make 'further and other Provision for the Application of such Monies 'for the Benefit of such respective Parishes or Places:' Be it enacted, That in every Case where the Assessment made or to be made and allowed under the Provisions of the Acts relating to the Land Tax, for or upon any Parish or Place in any District or Division in *Great Britain*, shall exceed by any Amount or Sum whatever the Quota or Proportion payable to Her Majesty by or for such Parish or Place under the Provisions of the said Acts, the Excess or Surplus which shall be collected over and above the said Quota shall be accounted for and paid in the due and ordinary Course of Collection to the Receiver General of Inland Revenue, and shall be by him paid into the Bank of *England* to the Credit of an Account to be opened in the Books of the said Bank with the Commissioners for the Reduction of the National Debt, and to be entitled "The Account of Surplus Land Tax;" and the Commissioners of Inland Revenue shall cause to be opened and kept in the Books of the Inland Revenue Office at *Somerset House* an Account with every such Parish and Place respectively, and in every such last-mentioned Account shall be entered the Sums of Money from Time to Time collected from every such respective Parish and Place, and paid to the said Receiver General as such Surplus Land Tax as aforesaid.

Surplus to be paid to the Receiver General of Inland Revenue, and by him into the Bank of England to an Account to be opened for that Purpose.

40. Whenever the Amount of such Surplus Land Tax standing to the Credit of any Parish or Place in any such Account as last mentioned shall be sufficient, according to the Rules established by Law for computing the Consideration Money for the Redemption of Land Tax, to redeem the Sum of Three Pounds Land Tax, or to redeem the whole of the Land Tax chargeable on such Parish or Place, if the same shall be less than Three Pounds, the Commissioners of Inland Revenue shall certify that Fact to the Commissioners for the Reduction of the National Debt, who shall thereupon apply and appropriate in the Purchase and cancelling of Parliamentary Stocks or Annuities such Sum of the Monies standing in their Names to the Credit of the said Account of Surplus Land Tax as the said Commissioners of Inland Revenue shall certify to them to be a sufficient Consideration, computed according to the Rules aforesaid, for the Redemption of the Amount of Land Tax mentioned in their Certificate as intended to be redeemed thereby.

Surplus Land Tax to be applied in the Redemption of Land Tax chargeable on the Parish in which it has arisen.

41. The Commissioners of Inland Revenue, having transmitted such Certificate as aforesaid to the Commissioners for the Reduction of the National Debt, shall cause the Parish or Place named in the said Certificate to be debited in the Surplus Land Tax Account in the Books of the Inland Revenue Office with the Sum specified in the said Certificate as the Sum to be applied in the Redemption of Land Tax chargeable upon such Parish or Place, and the said Commissioners of Inland Revenue shall also certify to the Commissioners of Land Tax for the District or Division in which

Commissioners of Inland Revenue to certify Appropriation of Surplus Land Tax, and Parish to be exonerated from Amount redeemed.

which the said Parish or Place is situated that the said Sum has been so applied, and also the Amount of Land Tax redeemed thereby, and thereupon the said Parish or Place shall stand exonerated and discharged from the said Amount of Land Tax from such of the quarterly Days for Payment of Land Tax as shall next precede the Day of the Date of the last-mentioned Certificate; and the said last-mentioned Certificate shall be registered in the Books of the proper Officer for the Registration of Land Tax redeemed.

6 G. 4. c. 32. as to any other Appropriation repealed.

42. So much of the said Act of the Sixth Year of King *George* the Fourth, Chapter Thirty-two, as enacts or directs that the Surplus Land Tax arising in any Parish or Place shall be applied or appropriated in any other Manner than as by this Act is directed, shall be and the same is hereby repealed.

Not to repeal 4 & 5 W. 4. c. 60. s. 6.

43. Provided always, That nothing in this Act contained shall extend to repeal the Sixth Section of the Act passed in the Fourth and Fifth Years of King *William* the Fourth, Chapter Sixty, or to prevent the Commissioners of Land Tax from deducting from the Surplus Land Tax which shall arise in any Parish or Place before Payment thereof to the Receiver General of Inland Revenue such Sum or Sums of Money as by or under the said last-mentioned Enactment are or may be directed or authorized to be paid to the Assessors of such Parish or Place as a Remuneration for their Trouble in making the Assessments to the Land Tax.

Construction of "Parish or Place."

44. The Term "Parish or Place," used in this Act with reference to Land Tax, shall include and be construed to mean any City, Borough, Town, Parish, Ward, or Place.

As to Land, Assessed, and Income Taxes.

Duplicates of Assessments, &c. to be delivered to Commissioners, &c.

45. Every Collector of any of the said Taxes shall upon clearing his Account for any of such Taxes deliver to the Commissioners by whom he was appointed the Duplicate of the Assessment for the Year and Tax to which such Account relates, together with the Books or Book of Receipts and Counterfoils furnished for his Use in the Collection of such Taxes, or in default thereof he shall forfeit the Sum of Fifty Pounds.

Persons in Prison against whom Informations are exhibited for Offences against Inland Revenue to be brought up by Habeas corpus at Hearing of such Informations.

46. Where any Person against whom an Information shall be exhibited before a Justice of the Peace for any Offence committed by such Person against any Act relating to the Inland Revenue shall be in Prison on any Account whatever at the Time appointed for the Hearing of such Information, the Commissioners of Inland Revenue shall cause to be obtained and issued out of the Court of Exchequer in *England*, *Scotland*, or *Ireland*, as the Case may require, a Writ of Habeas corpus directed to the Governor or Keeper of the Prison in which such Person shall be confined, commanding him to convey such Person to the Place of Hearing to be specified in such Writ, in order that the said Person may answer the said Information and attend the Trial thereof; and

such

such Writ of Habeas corpus shall be issued out of either of the said Courts, on Application made by any One of the Solicitors of Inland Revenue in *England*, *Scotland*, or *Ireland*, on behalf of the said Commissioners, to any Baron or Judge of any of the Superior Courts of Law in *England*, *Scotland*, and *Ireland* respectively; and it shall be lawful for the Justices or Magistrate before whom any such Information shall be brought for Adjudication to refuse to proceed with the said Information in the Absence of the Person charged, when satisfactory Proof shall be made that such Person is confined in Prison.

CAP. XCII.

An Act to amend the Law for the Collection of the Stamp Duties on Probates, Administrations, Inventories, Legacies, and Successions. [6th *August* 1861.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Proceedings for enforcing Payment of Succession and Legacy Duties.

1. Where any Assessment of Duty shall be made in pursuance of the Succession Duty Act, 1853, and the Duty shall not be paid, and there shall be no Appeal from the Assessment, where there shall be no Notice of disputing the Liability to such Assessment, the Commissioners of Inland Revenue shall be and they are hereby empowered to take the same or the like Proceedings for enforcing the Payment of such Duty, or any Part thereof, from any Person liable for the same, or the Owner of any Property expressly charged therewith, in like Manner as they are by Section Forty-seven of the same Act authorized to take for enforcing the Delivery of an Account, including all the Costs of such Proceedings; and where Proceedings shall be taken under the said Section against any accountable Party, and an Account shall be delivered in pursuance thereof, no Cause being shown as therein mentioned, such Party shall, on paying the Duty assessed on such Account, pay also the Costs of the Proceedings; and where Proceedings shall be taken as authorized by Section Forty-eight of the same Act, to enforce the Delivery of Accounts under the Legacy Duty Acts, such Proceeding shall also extend to the Payment of the Duty, if any, together with the Costs of the Proceedings; and for any of the Purposes aforesaid the Judges of the respective Courts of Exchequer shall frame all necessary Writs and Orders; and when any such Proceedings shall be discharged the Crown shall be liable to pay Costs to the Party proceeded against, and in all such Cases an Appeal shall lie from any Judgment of the Court in the same Manner as from any Judgment in a Proceeding by Information at the Suit of the Attorney General.

Certain Provisions in 22 & 23 Vict.

2. 'Whereas an Act was passed in the Twenty-second and 'Twenty-third Years of Her present Majesty's Reign, Chapter 'Twenty-

c. 21. to extend to Ireland.

'Twenty-one, for regulating the Office of Queen's Remembrancer, 'and amending the Practice and Procedure on the Revenue Side 'of the Court of Exchequer in *England*, and it is expedient 'that certain of the Provisions contained in the said Act should 'extend to *Ireland*:' Be it enacted, That the Provisions contained in Sections Ten, Eleven, Twelve, Thirteen, Fourteen, and Fifteen of the said last-mentioned Act shall, so far as the same are applicable, extend to *Ireland*, and the said Sections shall be read as if the same were expressly enacted in reference to *Ireland*.

No Return of Probate Duty to be made for voluntary Debts.

3. No Return of Stamp Duty paid upon any Probate or Letters of Administration in *England* or *Ireland*, or any Inventory of the Estate and Effects of any deceased Person in *Scotland*, shall be made or allowed in respect of any voluntary Debt due from any Person dying after the Twenty-eighth Day of *June* One thousand eight hundred and sixty-one, which shall be expressed to be payable on the Death of such Person or payable under any Instrument which shall not have been *bonâ fide* delivered to the Donee thereof Three Months before the Death of such Person.

CAP. XCIII.

An Act to provide for the Preparation, Audit, and Presentation to Parliament of annual Accounts of the Appropriation of the Moneys voted for the Revenue Departments.

[6th *August* 1861.]

9 & 10 Vict. c. 92.

'WHEREAS by an Act passed in the Session of Parliament 'holden in the Ninth and Tenth Years of Her present 'Majesty Queen *Victoria* Provision was made for the Prepa- 'ration, Audit, and Presentation to the House of Commons of 'Accounts of the Appropriation of the Moneys annually granted 'for the Naval and Military Services: And whereas it is expe- 'dient that similar Accounts of the Appropriation of the Moneys 'voted for the Salaries and Expenses of the Departments of 'Customs, Inland Revenue, and Post Office, and for the non- 'effective Charges of those Departments, should be prepared, 'audited, and laid before the House of Commons:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Officers of Customs, Inland Revenue, and Post Office to furnish annual Accounts of Sums voted by Parliament for their several Departments.

1. From and after the First Day of *April* One thousand eight hundred and sixty-two the respective Officers charged with the Preparation of the Accounts of the respective Departments of Customs, Inland Revenue, and Post Office shall prepare, annually, Accounts showing the Appropriation of the Sums granted by Parliament for the Salaries and other effective Services, and for the Superannuations and other non-effective Services, of their respective Departments, classed under the Heads of the Annual Estimates for those Services, in the preceding Year ended on the Thirty-

Thirty-first Day of *March*, and they shall transmit the same, signed and attested by them respectively, on or before the Thirtieth Day of *June* following, to the Commissioners for auditing the Public Accounts, who shall cause the same to be forthwith examined, and who shall certify thereon as to the Correctness or otherwise of the said Accounts; and as soon as such Examination shall have been completed the said Commissioners for auditing the Public Accounts shall transmit the said Accounts to the Commissioners of the Treasury, who shall lay the same, together with the Reports of the said Commissioners thereon, before the House of Commons on or before the Thirty-first Day of *January* following the said Thirty-first Day of *March*, if Parliament be then sitting, and if not, then within One Week after Parliament shall be next assembled.

Application of certain Sections of recited Act.

2. All the Provisions of the Third, Fourth, Fifth, and Sixth Sections of the before-mentioned Act relating to the Accounts of Naval and Military Expenditure shall be applicable to the Accounts to be prepared under the Provisions of this Act, except as otherwise provided by this Act.

C A P. XCIV.

An Act to consolidate and amend the Statute Law of *England* and *Ireland* relating to Accessories to and Abettors of indictable Offences. [6th *August* 1861.]

'WHEREAS it is expedient to consolidate and amend the Statute Law of *England* and *Ireland* relating to Accessories to and Abettors of indictable Offences:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

As to Accessories before the Fact:

Accessories before Fact may be tried, &c. as Principals.

1. Whosoever shall become an Accessory before the Fact to any Felony, whether the same be a Felony at Common Law or by virtue of any Act passed or to be passed, may be indicted, tried, convicted, and punished in all respects as if he were a principal Felon.

Accessories before Fact may be indicted as such, or as substantive Felons.

2. Whosoever shall counsel, procure, or command any other Person to commit any Felony, whether the same be a Felony at Common Law or by virtue of any Act passed or to be passed, shall be guilty of Felony, and may be indicted and convicted either as an Accessory before the Fact to the principal Felony, together with the principal Felon, or after the Conviction of the principal Felon, or may be indicted and convicted of a substantive Felony whether the principal Felon shall or shall not have been previously convicted, or shall or shall not be amenable to Justice, and may thereupon be punished in the same Manner as any Accessory

Accessory before the Fact to the same Felony, if convicted as an Accessory, may be punished.

As to Accessories after the Fact:

Accessories after the Fact may be indicted as such, or as substantive Felons.

3. Whosoever shall become an Accessory after the Fact to any Felony, whether the same be a Felony at Common Law or by virtue of any Act passed or to be passed, may be indicted and convicted either as an Accessory after the Fact to the principal Felony, together with the principal Felon, or after the Conviction of the principal Felon, or may be indicted and convicted of a substantive Felony whether the principal Felon shall or shall not have been previously convicted, or shall or shall not be amenable to Justice, and may thereupon be punished in like Manner as any Accessory after the Fact to the same Felony, if convicted as an Accessory, may be punished.

Punishment of Accessories after the Fact.

4. Every Accessory after the Fact to any Felony (except where it is otherwise specially enacted), whether the same be a Felony at Common Law or by virtue of any Act passed or to be passed, shall be liable, at the Discretion of the Court, to be imprisoned in the Common Gaol or House of Correction for any Term not exceeding Two Years, with or without Hard Labour, and it shall be lawful for the Court, if it shall think fit, to require the Offender to enter into his own Recognizances and to find Sureties, both or either, for keeping the Peace, in addition to such Punishment: Provided that no Person shall be imprisoned under this Clause for not finding Sureties for any Period exceeding One Year.

As to Accessories generally:

Prosecution of Accessory after Principal convicted, &c.

5. If any principal Offender shall be in anywise convicted of any Felony, it shall be lawful to proceed against any Accessory, either before or after the Fact, in the same Manner as if such principal Felon had been attainted thereof, notwithstanding such principal Felon shall die, or be pardoned, or otherwise delivered before Attainder; and every such Accessory shall upon Conviction suffer the same Punishment as he would have suffered if the Principal had been attainted.

Several Accessories may be included in same Indictment.

6. Any Number of Accessories at different Times to any Felony, and any Number of Receivers at different Times of Property stolen at One Time, may be charged with substantive Felonies, in the same Indictment, and may be tried together, notwithstanding the principal Felon shall not be included in the same Indictment, or shall not be in Custody or amenable to Justice.

Trial of Accessories.

7. Where any Felony shall have been wholly committed within *England* or *Ireland*, the Offence of any Person who shall be an Accessory either before or after the Fact to any such Felony may be dealt with, inquired of, tried, determined, and punished by any Court which shall have Jurisdiction to try the principal Felony, or any Felonies committed in any County or Place in which the Act by reason whereof such Person shall have become such Accessory shall have been committed; and in every other Case

Case the Offence of any Person who shall be an Accessory either before or after the Fact to any Felony may be dealt with, inquired of, tried, determined, and punished by any Court which shall have Jurisdiction to try the principal Felony or any Felonies committed in any County or Place in which such Person shall be apprehended or be in Custody, whether the principal Felony shall have been committed on the Sea or on the Land, or begun on the Sea and completed on the Land, or begun on the Land and completed on the Sea, and whether within Her Majesty's Dominions or without, or partly within Her Majesty's Dominions and partly without; provided that no Person who shall be once duly tried either as an Accessory before or after the Fact, or for a substantive Felony under the Provisions herein-before contained, shall be liable to be afterwards prosecuted for the same Offence.

As to Abettors in Misdemeanors:

Abettors in Misdemeanors.

8. Whosoever shall aid, abet, counsel, or procure the Commission of any Misdemeanor, whether the same be a Misdemeanor at Common Law or by virtue of any Act passed or to be passed, shall be liable to be tried, indicted, and punished as a principal Offender.

As to other Matters:

As to Offences committed within the Jurisdiction of the Admiralty.

9. Where any Person shall, within the Jurisdiction of the Admiralty of *England* or *Ireland*, become an Accessory to any Felony, whether the same be a Felony at Common Law or by virtue of any Act passed or to be passed, and whether such Felony shall be committed within that Jurisdiction or elsewhere, or shall be begun within that Jurisdiction and completed elsewhere, or shall be begun elsewhere and completed within that Jurisdiction, the Offence of such Person shall be Felony; and in any Indictment for any such Offence the Venue in the Margin shall be the same as if the Offence had been committed in the County or Place in which such Person shall be indicted, and his Offence shall be averred to have been committed "on the High Seas;" provided that nothing herein contained shall alter or affect any of the Laws relating to the Government of Her Majesty's Land or Naval Forces.

Extent of Act.

10. Nothing in this Act contained shall extend to *Scotland*, except as herein-before otherwise expressly provided.

Commencement of Act.

11. This Act shall commence and take effect on the First Day of *November* One thousand eight hundred and sixty-one.

CAP. XCV.

An Act to repeal certain Enactments which have been consolidated in several Acts of the present Session relating to indictable Offences and other Matters.

[6th *August* 1861.]

'WHEREAS by Six several Acts of the present Session of 'Parliament, relating respectively to Offences against the 'Person, Malicious Injuries to Property, Larceny, Forgery, Coin-

'ing, and Accessories and Abettors, divers Acts and Parts of 'Acts have been consolidated and amended, and it is expedient 'to repeal the Enactments so consolidated and amended, and 'certain other Enactments:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Repeal of Acts and Parts of Acts mentioned in Schedule.

1. The several Acts and Parts of Acts in the Schedule hereto annexed shall continue in force until and throughout the last Day of *October* in the present Year, and shall from and after that Day be repealed to the Extent following; (that is to say,) in any Case where the Enactment does not form Part of the Law of *Scotland* then the Enactment shall be wholly repealed, but in any Case where the Enactment does form Part of the Law of *Scotland*, then the Enactment shall be wholly repealed as to every other Place, but shall not be repealed as to *Scotland*, unless otherwise expressly mentioned.

Repeal not to affect Colonies in certain Cases.

2. Provided, That where any Enactment shall have been extended to any Part of Her Majesty's Dominions out of the United Kingdom by any Act of the Parliament of the United Kingdom or otherwise, the same shall not be repealed as to that Part of Her Majesty's Dominions.

Repeal not to affect Offences, &c. committed before the Commencement of this Act.

3. Provided also, That every Offence which shall have been wholly or partly committed against any of the said Acts or Parts of Acts before this Act comes into operation shall be dealt with, inquired of, tried, determined, and punished, and every Penalty in respect of any such Offence shall be recovered, in the same Manner as if the said Acts and Parts of Acts had not been repealed; and that every Act duly done, and every Warrant and other Instrument duly made or granted, before this Act comes into operation, shall continue and be of the same Force and Effect as if the said Acts and Parts of Acts had not been repealed; and that every Right, Liability, Privilege, and Protection in respect of any Matter or Thing committed or done before this Act comes into operation shall continue and be of the same Force and Effect as if the said Acts and Parts of Acts had not been repealed; and that every Action, Prosecution, and other Proceeding which shall have been commenced before this Act comes into operation, or shall thereafter be commenced, in respect of any such Matter or Thing, may be prosecuted, continued, and defended in the same Manner as if the said Acts and Parts of Acts had not been repealed.

Repeal not to affect Authority to amend Registers of Births, &c.

4. Provided also, That nothing herein contained shall in any Manner alter or affect any Power or Authority given by any Act to alter or amend any Register of Births, Baptisms, Marriages, Deaths, or Burials.

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The SCHEDULE.

References to Act.	Title of Act.	Extent of Repeal.
10 C. 1. Sess. 3. c. 20. (I.)	An Act against such as shall levie any Fine, suffer any Recovery, acknowledge any Statute, Recognizance, Baile, or Judgment in the Name of any other Person or Persons not being privie and consenting thereto.	The whole.
7 W. 3. c. 18. (I.)	An Act for taking special Bails in the Country upon Actions and Suits depending in the Courts of King's Bench, Common Pleas, and Exchequer at Dublin.	Section Four.
2 & 3 Ann. c. 4.	An Act for the public registering of Deeds, Conveyances, and Wills that shall be made of any Honors, Manors, Lands, Tenements, or Hereditaments within the West Riding of the County of York after the Nine-and-twentieth Day of September One thousand seven hundred and four.	So much of Section Nineteen as relates to any forging or counterfeiting therein mentioned.
6 Ann. c. 2. (I.)	An Act for the public registering of all Deeds, Conveyances, and Wills that shall be made of any Honors, Manors, Lands, Tenements, or Hereditaments.	So much of Section Seventeen as relates to any forging or counterfeiting therein mentioned.
6 Ann. c. 35.	An Act for the public registering of all Deeds, Conveyances, Wills, and other Incumbrances, that shall be made of, or that may affect any Honors, Manors, Lands, Tenements, or Hereditaments within the East Riding of the County of York, or the Town and County of the Town of Kingston-upon-Hull, after the Nine-and-twentieth Day of September One thousand seven hundred and eight; and for the rendering the Register in the West Riding more complete.	So much of Section Twenty-six as relates to any forging or counterfeiting therein mentioned.
7 Ann. c. 20.	An Act for the public registering of Deeds, Conveyances, and Wills, and other Incumbrances, which shall be made of, or that may affect Honors, Manors, Lands, Tenements, or Hereditaments within the County of Middlesex after the Twenty-ninth Day of September One thousand seven hundred and nine.	So much of Section Fifteen as relates to any forging or counterfeiting therein mentioned.
8 Ann. c. 10. (I.)	An Act for amending an Act intituled "An Act for the public registering "of all Deeds, Conveyances, and "Wills that shall be made of any "Honors, Manors, Lands, Tene- "ments, or Hereditaments."	So much of Section Four as relates to any forging or counterfeiting therein mentioned.

Criminal Statutes Repeal.

References to Act.	Title of Act.	Extent of Repeal.
8 Geo. 1. c. 15. (I.)	An Act for explaining and amending Two several Acts in relation to the public registering of Deeds, Conveyances, and Wills.	So much of Section Four as relates to any forging or counterfeiting therein mentioned.
11 Geo. 1. c. 9. -	An Act for continuing the several Annuities of Eighty-eight thousand seven hundred fifty-one Pounds Seven Shillings and Tenpence Halfpenny and One hundred thousand Pounds to the Bank of England until Midsummer One thousand seven hundred and twenty-seven, and from thence for reducing the same to Seventy-one thousand and one Pounds Two Shillings and Threepence Three Farthings and Eighty thousand Pounds, redeemable by Parliament, and for preventing the uttering of forged, counterfeited, or erased Bank Bills or Notes.	Section Six.
12 Geo. 1. c. 32.	An Act for better securing the Monies and Effects of the Suitors of the Court of Chancery, and to prevent the counterfeiting of East India Bonds, and Indorsements thereon; as likewise Indorsements on South Sea Bonds.	Section Nine.
3 Geo. 2. c. 4. (I.)	An Act for the more effectual preventing and further Punishment of Forgery, Perjury, and Subornation of Perjury, and to make it Felony to steal Bonds, Notes, or other Securities for Payment of Money, and for the more effectual transporting Felons, Vagabonds, and others.	Section One.
8 Geo. 2. c. 6. -	An Act for the public registering of all Deeds, Conveyances, Wills, and other Incumbrances that shall be made of, or that may affect any Honors, Manors, Lands, Tenements, or Hereditaments within the North Riding of the County of York, after the Nine-and-twentieth Day of September One thousand seven hundred and thirty-six.	So much of Section Thirty-one as relates to any forging or counterfeiting therein mentioned.
15 Geo. 2. c. 13.	An Act for establishing an Agreement with the Governor and Company of the Bank of England for advancing the Sum of One million six hundred thousand Pounds towards the Supply for the Service of the Year One thousand seven hundred and forty-two	Section Twelve.

Criminal Statutes Repeal.

References to Act.	Title of Act.	Extent of Repeal.
17 Geo. 2. c. 11. (I.)	An Act for the Amendment of the Law in relation to Forgery, and the Salvage of Ships and Goods stranded.	Section One.
13 & 14 Geo. 3. c. 14. (I.)	An Act for the more effectual preventing the forging or altering the Acceptance or Indorsement of Bills of Exchange, or the Numbers or Principal Sums of accountable Receipts for Notes, Bills, or other Securities for Payment of Money, or Warrants or Orders for Payment of Money or Delivery of Goods.	The whole.
21 & 22 Geo. 3. c. 16. (I.)	An Act for establishing a Bank by the Name of the Governors and Company of the Bank of Ireland.	Sections Fifteen and Sixteen.
23 & 24 Geo. 3. c. 22. (I.)	An Act for better securing the Monies and Effects of the Suitors of the Court of Chancery and the Court of Exchequer by depositing the same in the National Bank; and to prevent the forging and counterfeiting any Draft, Order, or other Voucher for the Payment or Delivery of such Money or Effects; and for other Purposes.	Section Twenty-two.
25 Geo. 3. c. 37. (I.)	An Act to explain and amend an Act passed in the Thirteenth and Fourteenth Years of the Reign of His present Majesty King George the Third, intituled "An Act for the "more effectual preventing the "forging or altering the Acceptance or Indorsement of Bills of "Exchange, or the Numbers or "Principal Sums of accountable "Receipts for Notes, Bills, or "other Securities for Payment of "Money, or Warrants or Orders "for Payment of Money or Delivery of Goods."	The whole.
27 Geo. 3. c. 15. (I.)	An Act to prevent tumultuous Risings and Assemblies, and for the more effectual Punishment of Persons guilty of Outrage, Riot, and illegal Combination, and of administering and taking unlawful Oaths.	Section Five.
35 Geo. 3. c. 66.	An Act for making Part of certain Principal Sums or Stock and Annuities raised or created or to be raised or created by the Parliament of the Kingdom of Ireland on Loans for the Use of the Government of that Kingdom transferable, and the Dividends on such Stock and Annuities payable at the Bank of England; and for the better Security of the Proprietors of such	Section Three and all the subsequent Sections.

Criminal Statutes Repeal.

References to Act.	Title of Act.	Extent of Repeal.
	Stocks and Annuities, and of the Governor and Company of the Bank of England.	
37 Geo. 3. c. 26. (I.)	An Act to prevent the forging of Notes and Bills of the Governor and Company of the Bank of Ireland, and to prevent the obtaining of false Credit, and the committing of Frauds by the Imitation of Notes or Bills of the said Governor and Company.	The whole.
37 Geo. 3. c. 46. -	An Act for making certain Annuities created by the Parliament of the Kingdom of Ireland transferable, and the Dividends thereon payable at the Bank of England; and for the better Security of the Proprietors of such Annuities, and of the Governor and Company of the Bank of England.	Section Three and all the subsequent Sections.
37 Geo. 3. c. 54. (I.)	An Act to enable the Proprietors of Debentures issued by Government to convert them into Stock transferable at the Bank of Ireland.	Section Eleven and all the subsequent Sections.
37 Geo. 3. c. 126.	An Act to prevent the counterfeiting any Copper Coin in this Realm made or to be made current by Proclamation, or any Foreign Gold or Silver Coin; and to prevent the bringing into this Realm or uttering any counterfeit Foreign Gold or Silver Coin.	The whole, both as to England and Scotland, except Section One.
38 Geo. 3. c. 53. (I.)	An Act for the more effectually preventing the forging of the Notes and Bills of the Governor and Company of the Bank of Ireland, and the Circulation of forged Notes and Bills of the said Governor and Company.	The whole.
39 Geo. 3. c. 63. (I.)	An Act for the more effectually preventing the forging of Bills of Exchange and Promissory Notes, or any Acceptance, Assignment, or Indorsement thereof, or any Acquittance or Receipt for Money or Goods; and also for preventing the forging of the Promissory Notes of the Governor and Company of the Bank of England commonly called Bank Notes, and the Bills of Exchange of the said Governor and Company called Bank Post Bills.	The whole, except the last Section.
40 Geo. 3. c. 96. (I.)	An Act to revive, amend, continue, or make perpetual certain temporary Statutes.	So much of Section Five as perpetuates the Part of the 37 Geo. 3. c. 15. hereby repealed.

Criminal Statutes Repeal.

References to Act.	Title of Act.	Extent of Repeal.
41 Geo. 3. c. 57.	An Act for the better Prevention of the Forgery of the Notes and Bills of Exchange of Persons carrying on the Business of Bankers.	The whole.
43 Geo. 3. c. 139.	An Act for preventing the forging and counterfeiting of Foreign Bills of Exchange, and of Foreign Promissory Notes and Orders for the Payment of Money; and for preventing the counterfeiting of Foreign Copper Money.	Sections One and Two as to Ireland, and the rest of the Act as to the whole United Kingdom.
48 Geo. 3. c. 1. -	An Act for regulating the issuing and paying off of Exchequer Bills.	Section Nine.
49 Geo. 3. c. 13. (I.)	An Act for the more effectually preventing the forging of Bank Notes, Bank Bills of Exchange, and Bank Post Bills, and the Negotiation of forged and counterfeited Bank Notes, Bank Bills of Exchange, and Bank Post Bills of the Governor and Company of the Bank of Ireland.	The whole.
1 Geo. 4. c. 4. -	An Act for punishing criminally Drivers of Stage Coaches and Carriages for Accidents occasioned by their wilful Misconduct.	The whole.
1 Geo. 4. c. 92. -	An Act for the Prevention of forging and counterfeiting of Bank Notes.	Sections One and Two.
3 Geo. 4. c. 116.	An Act for the more convenient and effectual registering in Ireland Deeds executed in Great Britain.	So much of Section Seven as relates to any forging or counterfeiting therein mentioned.
4 Geo. 4. c. 54. -	An Act for allowing the Benefit of Clergy to Persons convicted of certain Felonies, under Two Acts of the Ninth Year of King George the First and of the Twenty-seventh Year of King George the Second; for making better Provision for the Punishment of Persons guilty of sending or delivering Threatening Letters; and of Assaults with Intent to commit Robbery.	The whole.
5 Geo. 4. c. 25. (I.)	An Act to repeal so much of an Act passed in the Ninth Year of the Reign of King William the Third as relates to Burials in suppressed Monasteries, Abbeys, or Convents in Ireland; and to make further Provision with respect to the Burial in Ireland of Persons dissenting from the Established Church.	Section Five.
7 Geo. 4. c. 64. -	An Act for improving the Administration of Criminal Justice in England.	Sections Nine, Ten and Eleven.

Criminal Statutes Repeal.

References to Act.	Title of Act.	Extent of Repeal.
7 & 8 Geo. 4. c. 18.	An Act to prohibit the setting Spring Guns, Man Traps, and other Engines calculated to destroy Human Life or inflict grievous bodily Harm.	The whole.
7 & 8 Geo. 4. c. 29.	An Act for consolidating and amending the Laws of England relative to Larceny and other Offences connected therewith.	The whole, as to the whole United Kingdom.
7& 8 Geo. 4. c. 30.	An Act for consolidating and amending the Laws in England relative to malicious Injuries to Property.	The whole.
9 Geo. 4. c. 31. -	An Act for consolidating and amending the Statutes in England relative to Offences against the Person.	The whole.
9 Geo. 4. c. 54. (I.)	An Act for improving the Administration of Justice in Criminal Cases in Ireland.	Sections Twenty-three, Twenty-four, and Twenty-five.
9 Geo. 4. c. 55. (I.)	An Act for consolidating and amending the Laws in Ireland relative to Larceny and other Offences connected therewith.	The whole, as to the whole United Kingdom.
9 Geo. 4. c. 56. (I.)	An Act for consolidating and amending the Laws in Ireland relative to malicious Injuries to Property.	The whole.
10 Geo. 4. c. 34. (I.)	An Act for consolidating and amending the Statutes in Ireland relating to Offences against the Person.	The whole.
11 Geo. 4. & 1 W. 4. c. 66.	An Act for reducing into One Act all such Forgeries as shall henceforth be punished with Death, and for otherwise amending the Laws relative to Forgery.	The whole, except Section Twenty-one.
2 & 3 W. 4. c. 4.	An Act for more effectually preventing Embezzlements by Persons employed in the Public Service of His Majesty.	The whole.
2 & 3 W. 4. c. 34.	An Act for consolidating and amending the Laws against Offences relating to the Coin.	The whole, as to the whole United Kingdom.
2 & 3 W. 4. c. 75.	An Act for regulating Schools of Anatomy.	Section Sixteen.
2 & 3 W. 4. c. 123.	An Act for abolishing the Punishment of Death in certain Cases of Forgery.	The whole.
3 & 4 W. 4. c. 44.	An Act to repeal so much of Two Acts of the Seventh and Eighth Years and the Ninth Year of King George the Fourth as inflicts the Punishment of Death upon Persons breaking, entering, and stealing in a Dwelling House; also for giving Power to the Judges to add to the Punishment of Transportation for Life in certain Cases of Forgery, and in certain other Cases.	The whole.

Criminal Statutes Repeal.

References to Act.	Title of Act.	Extent of Repeal.
4 & 5 W. 4. c. 26.	An Act to abolish the Practice of hanging the Bodies of Criminals in Chains.	Section Two.
5 & 6 W. 4. c. 34. (I.)	An Act to amend Two Clerical Errors contained in an Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intituled "An Act for "consolidating and amending the "Laws in Ireland relative to "Larceny and other Offences con- "nected therewith."	The whole.
5 & 6 W. 4. c. 81.	An Act for abolishing Capital Punishments in Cases of Letter Stealing and Sacrilege.	So much as relates to the Punishment of any Person who shall break and enter any Church or Chapel, and steal therein any Chattel, or having stolen any Chattel in any Church or Chapel shall break out of the same, and to Principals in the Second Degree and Accessories in such Offences.
6 & 7 W. 4. c. 4.	An Act to amend the Act of the last Session for abolishing Capital Punishments in Cases of Letter Stealing and Sacrilege.	So much as alters and amends that Part of the 5 & 6 W. 4. c. 81. which is hereby repealed.
6 & 7 W. 4. c. 30.	An Act to repeal so much of Two Acts of the Ninth and Tenth Years of King George the Fourth as directs the Period of the Execution and the Prison Discipline of Persons convicted of the Crime of Murder.	The whole.
6 & 7 W. 4. c. 86.	An Act for registering Births, Deaths, and Marriages in England.	Section Forty-three.
7 W. 4. & 1 Vict. c. 77.	An Act to assimilate the Practice of the Central Criminal Court to other Courts of Criminal Judicature within the Kingdom of England and Wales with respect to Offenders liable to the Punishment of Death.	So much of Section Three as empowers the Court to direct Sentence of Death to be recorded in Cases of Murder.
7 W. 4. & 1 Vict. c. 84.	An Act to abolish the Punishment of Death in Cases of Forgery.	So much of Sections One and Three as relates to the forging, altering, offering, uttering, disposing of, or putting

Criminal Statutes Repeal.

References to Act.	Title of Act.	Extent of Repeal.
		any Will, Testament, Codicil, or Testamentary Writing, or any Power of Attorney, or other Authority therein mentioned, and to Principals in the Second Degree and Accessories before the Fact in such Offences, and so much of Sections Two and Three as relates to the Punishment of any Offence created by or formerly punishable under any Enactment in this Schedule before mentioned and hereby repealed.
7 W. 4. & 1 Vict. c. 85.	An Act to amend the Laws relating to Offences against the Person.	The whole.
7 W. 4. & 1 Vict. c. 86.	An Act to amend the Laws relating to Burglary and stealing in a Dwelling House.	The whole.
7 W. 4. & 1 Vict. c. 87.	An Act to amend the Laws relating to Robbery and stealing from the Person.	The whole.
7 W. 4. & 1 Vict. c. 89.	An Act to amend the Laws relating to burning or destroying Buildings and Ships.	The whole.
7 W. 4. & 1 Vict. c. 90.	An Act to amend the Law relative to Offences punishable by Transportation for Life.	The whole, except Section Five.
2 & 3 Vict. c. 58.	An Act to make further Provision for the Administration of Justice, and for improving the Practice and Proceedings in the Courts of the Stannaries of Cornwall, and for the Prevention of Frauds by Workmen employed in the Mines within the County of Cornwall.	Section Ten.
3 & 4 Vict. c. 97.	An Act for regulating Railways -	Section Fifteen.
4 & 5 Vict. c. 56.	An Act for taking away the Punishment of Death in certain Cases, and substituting other Punishments in lieu thereof.	Sections Two and Three, and so much of Section One as relates to Embezzlements by Officers or Servants of the Bank of England.
5 & 6 Vict. c. 28. (I.)	An Act to assimilate the Law in Ireland as to the Punishment of Death to the Law in England; to abolish the Punishment of Death in certain Cases in Ireland, and to	Sections Four, Thirteen, Fourteen, and Fifteen, and so much of Section Seven as alters the Punish-

Criminal Statutes Repeal.

References to Act.	Title of Act.	Extent of Repeal.
	substitute other Punishments in lieu thereof.	ment contained in any Enactment hereby repealed, and so much of Section Eighteen as relates to Principals in the Second Degree and Accessories before the Fact to any Offence mentioned in the said Sections Four, Thirteen, Fourteen, and Fifteen, or in the said Part of the said Section Eighteen hereby repealed.
5 & 6 Vict. c. 39.	An Act to amend the Law relating to Advances bonâ fide made to Agents intrusted with Goods.	Section Six.
5 & 6 Vict. c. 66.	An Act for further regulating the Preparation and Issue of Exchequer Bills.	Sections Nine and Ten.
5 & 6 Vict. c. 106. (I.)	An Act to regulate the Irish Fisheries.	Sections Eleven and Twelve.
6 & 7 Vict. c. 10.	An Act for removing Doubts as to the Punishment which may be awarded under the Provisions of an Act of the Fourth and Fifth Years of Her present Majesty, "for taking away "the Punishment of Death in cer- "tain Cases," for certain Offences therein specified.	The whole.
7 & 8 Vict. c. 62.	An Act to amend the Law as to burning Farm Buildings.	The whole.
7 & 8 Vict. c. 81. (I.)	An Act for Marriages in Ireland, and for registering such Marriages.	Section Seventy-five.
8 & 9 Vict. c. 44.	An Act for the better Protection of Works of Art and Scientific and Literary Productions.	The whole.
8 & 9 Vict. c. 47.	An Act for the further Prevention of the Offence of Dog Stealing.	The whole.
8 & 9 Vict. c. 108. (I.)	An Act for the further Amendment of an Act of the Sixth Year of Her present Majesty for regulating the Irish Fisheries.	Section Eighteen.
9 & 10 Vict. c. 25.	An Act for preventing malicious Injuries to Persons and Property by Fire or by explosive or destructive Substances.	The whole.
10 & 11 Vict. c. 66.	An Act for extending the Provisions of the Law respecting Threatening Letters, and accusing Parties with a view to extort Money.	The whole.
11 & 12 Vict. c. 46.	An Act for the Removal of Defects in the Administration of Criminal Justice.	Sections One, Two, and Three.

Criminal Statutes Repeal.

References to Act.	Title of Act.	Extent of Repeal.
12 & 13 Vict. c. 11.	An Act to amend the Laws of England and Ireland relative to Larceny and other Offences connected therewith.	The whole.
12 & 13 Vict. c. 76.	An Act to protect Women from fraudulent Practices for procuring their Defilement.	The whole.
13 & 14 Vict. c. 72. (I.)	An Act to amend the Laws for the Registration of Assurances of Lands in Ireland.	Section Sixty-two.
13 & 14 Vict. c. 88. (I.)	An Act to amend the Law relating to Engines used in the Rivers and on the Seacoasts of Ireland for the taking of Fish.	Section Forty-two.
14 & 15 Vict. c. 11.	An Act for the better Protection of Persons under the Care and Control of others as Apprentices or Servants; and to enable the Guardians and Overseers of the Poor to institute and conduct Prosecutions in certain Cases.	Sections One, Two, Six, and Seven.
14 & 15 Vict. c. 19.	An Act for the better Prevention of Offences.	Sections One, Two, Three, Four, Six, Seven, Eight, and Nine.
14 & 15 Vict. c. 92. (I.)	An Act to consolidate and amend the Acts relating to certain Offences and other Matters, as to which Justices of the Peace exercise summary Jurisdiction in Ireland.	Sections Two, Three, Four, and Five.
14 & 15 Vict. c. 100.	An Act for further improving the Administration of Criminal Justice.	Sections Four, Six, Eight, Eleven, Thirteen, Fourteen, Fifteen, Sixteen, Seventeen, and so much of Section Five as relates to forging or uttering any Instrument, and so much of Section Twenty-nine as relates to any indecent Assault, or any Assault occasioning actual bodily Harm or any Attempt to have carnal Knowledge of a Girl under Twelve Years of Age.
16 & 17 Vict. c. 23.	An Act for redeeming or commuting the Annuity payable to the South Sea Company, and certain Annuities of Three Pounds per Centum per Annum, and for creating new Annuities of Three Pounds Ten Shillings per Centum per Annum, and Two Pounds Ten Shillings per	Section Forty-one.

Criminal Statutes Repeal.

References to Act.	Title of Act.	Extent of Repeal.
	Centum per Annum, and issuing Exchequer Bonds.	
16 & 17 Vict. c. 30.	An Act for the better Prevention and Punishment of aggravated Assaults upon Women and Children, and for preventing Delay and Expense in the Administration of certain Parts of the Criminal Law.	Section One.
16 & 17 Vict. c. 99.	An Act to substitute in certain Cases other Punishment in lieu of Transportation.	Section Twelve.
16 & 17 Vict. c. 102.	An Act to prevent the defacing of the current Coin of the Realm.	The whole, as to the whole United Kingdom.
16 & 17 Vict. c. 113.	An Act to amend the Procedure in the Superior Courts of Common Law in Ireland.	So much of Section Seventy-one as relates to any Action which shall be commenced against any Person for anything done in pursuance of any of the Acts of this Session for consolidating and amending the Statute Law of England and Ireland relating to Larceny, Malicious Injuries, and Coin.
16 & 17 Vict. c. 132.	An Act to extend the Provisions of an Act of the present Session for redeeming or commuting the Annuity payable to the South Sea Company and certain Annuities of Three Pounds per Centum per Annum, and to provide for Payments to be made under the said Act.	Sections Ten and Eleven.
17 & 18 Vict. c. 33.	An Act to place Public Statues within the Metropolitan Police District under the Control of the Commissioners of Her Majesty's Works and Public Buildings.	Section Six.
20 & 21 Vict. c. 54.	An Act to make better Provision for the Punishment of Frauds committed by Trustees, Bankers, and other Persons intrusted with Property.	The whole.
21 & 22 Vict. c. 3.	An Act for enabling the East India Company to raise Money in the United Kingdom for the Service of the Government of India.	Section Ten.
21 & 22 Vict. c. 47.	An Act to amend the Law of false Pretences.	The whole.
21 & 22 Vict. c. 79.	An Act to amend the Law relating to Cheques or Drafts on Bankers.	Section Three.
21 & 22 Vict. c. 106.	An Act for the better Government of India.	Section Fifty.

Criminal Statutes Repeal. *Larceny, &c.*

References to Act.	Title of Act.	Extent of Repeal.
22 Vict. c. 11. -	An Act to enable the Secretary of State in Council of India to raise Money in the United Kingdom for the Service of the Government of India.	Section Ten.
22 & 23 Vict. c. 32.	An Act to amend the Law concerning the Police in Counties and Boroughs in England and Wales.	Section Twenty-five.
22 & 23 Vict. c. 39.	An Act to enable the Secretary of State in Council of India to raise Money in the United Kingdom for the Service of the Government of India.	Section Thirteen.
23 & 24 Vict. c. 8.	An Act to amend the Law relating to the unlawful administering of Poison.	The whole.
23 & 24 Vict. c. 29.	An Act to amend an Act relative to Malicious Injuries to Property.	The whole.
23 & 24 Vict. c. 130.	An Act to enable the Secretary of State in Council of India to raise Money in the United Kingdom for the Service of the Government of India.	Section Thirteen.

CAP. XCVI.

An Act to consolidate and amend the Statute Law of *England* and *Ireland* relating to Larceny and other similar Offences. [6th *August* 1861.]

'WHEREAS it is expedient to consolidate and amend the Statute Law of *England* and *Ireland* relating to Larceny and other similar Offences:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpretation of Terms: "Document of Title to Goods:"

1. In the Interpretation of this Act:

The Term "Document of Title to Goods" shall include any Bill of Lading, *India* Warrant, Dock Warrant, Warehouse Keeper's Certificate, Warrant or Order for the Delivery or Transfer of any Goods or valuable Thing, Bought and Sold Note, or any other Document used in the ordinary Course of Business as Proof of the Possession or Control of Goods, or authorizing or purporting to authorize, either by Indorsement or by Delivery, the Possessor of such Document to transfer or receive any Goods thereby represented or therein mentioned or referred to:

"Document of Title to Lands:"

The Term "Document of Title to Lands" shall include any Deed, Map, Paper, or Parchment, written or printed, or partly written and partly printed, being or containing Evidence of the Title, or any Part of the Title, to any Real Estate, or to any Interest in or out of any Real Estate:

The

The Term "Trustee" shall mean a Trustee on some express Trust created by some Deed, Will, or Instrument in Writing, and shall include the Heir, or personal Representative, of any such Trustee, and any other Person upon or to whom the Duty of such Trust shall have devolved or come, and also an Executor and Administrator, and an Official Manager, Assignee, Liquidator, or other like Officer acting under any present or future Act relating to Joint Stock Companies, Bankruptcy, or Insolvency: "Trustee:"

The Term "valuable Security" shall include any Order, Exchequer Acquittance, or other Security whatsoever entitling or evidencing the Title of any Person or Body Corporate to any Share or Interest in any Public Stock or Fund, whether of the United Kingdom, or of *Great Britain*, or of *Ireland*, or of any Foreign State, or in any Fund of any Body Corporate, Company, or Society, whether within the United Kingdom or in any Foreign State or Country, or to any Deposit in any Bank, and shall also include any Debenture, Deed, Bond, Bill, Note, Warrant, Order, or other Security whatsoever for Money or for Payment of Money, whether of the United Kingdom, or of *Great Britain*, or of *Ireland*, or of any Foreign State, and any Document of Title to Lands or Goods as herein-before defined: "Valuable Security:"

The Term "Property" shall include every Description of Real and Personal Property, Money, Debts, and Legacies, and all Deeds and Instruments relating to or evidencing the Title or Right to any Property, or giving a Right to recover or receive any Money or Goods, and shall also include, not only such Property as shall have been originally in the Possession or under the Control of any Party, but also any Property into or for which the same may have been converted or exchanged, and any Thing acquired by such Conversion or Exchange, whether immediately or otherwise: "Property:"

For the Purposes of this Act, the Night shall be deemed to commence at Nine of the Clock in the Evening of each Day, and to conclude at Six of the Clock in the Morning of the next succeeding Day. "Night."

2. Every Larceny, whatever be the Value of the Property stolen, shall be deemed to be of the same Nature, and shall be subject to the same Incidents in all respects as Grand Larceny was before the Twenty-first Day of *June* One thousand eight hundred and twenty-seven; and every Court whose Power as to the Trial of Larceny was before that Time limited to Petty Larceny shall have Power to try every Case of Larceny, the Punishment of which cannot exceed the Punishment hereinafter mentioned for Simple Larceny, and also to try all Accessories to such Larceny. All Larcenies to be of the same Nature.

3. Whosoever, being a Bailee of any Chattel, Money, or valuable Security, shall fraudulently take or convert the same to his own Use or the Use of any Person other than the Owner thereof, although he shall not break Bulk or otherwise determine the Bailment, shall be guilty of Larceny, and may be convicted thereof upon Bailees fraudulently converting Property guilty of Larceny.

upon an Indictment for Larceny; but this Section shall not extend to any Offence punishable on summary Conviction.

Punishment for Simple Larceny.

4. Whosoever shall be convicted of Simple Larceny, or of any Felony hereby made punishable like Simple Larceny, shall (except in the Cases herein-after otherwise provided for) be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Three Larcenies may be charged in One Indictment.

5. It shall be lawful to insert several Counts in the same Indictment against the same Person for any Number of distinct Acts of Stealing, not exceeding Three, which may have been committed by him against the same Person within the Space of Six Months from the first to the last of such Acts, and to proceed thereon for all or any of them.

Where one Taking is charged, and several Takings at different Times are proved.

6. If upon the Trial of any Indictment for Larceny it shall appear that the Property alleged in such Indictment to have been stolen at One Time was taken at different Times, the Prosecutor shall not by reason thereof be required to elect upon which Taking he will proceed, unless it shall appear that there were more than Three Takings, or that more than the Space of Six Months elapsed between the first and the last of such Takings; and in either of such last-mentioned Cases the Prosecutor shall be required to elect to proceed for such Number of Takings, not exceeding Three, as appear to have taken place within the Period of Six Months from the first to the last of such Takings.

Larceny, after a Conviction for Felony.

7. Whosoever shall commit the Offence of Simple Larceny after a previous Conviction for Felony, whether such Conviction shall have taken place upon an Indictment, or under the Provisions of the Act passed in the Session held in the Eighteenth and Nineteenth Years of Queen *Victoria*, Chapter One hundred and twenty-six, shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Ten Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Larceny after Conviction of an indictable Misdemeanor under this Act.

8. Whosoever shall commit the Offence of Simple Larceny, or any Offence hereby made punishable like Simple Larceny, after having been previously convicted of any indictable Misdemeanor punishable under this Act, shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Larceny, after Two Summary Convictions.

9. Whosoever shall commit the Offence of Simple Larceny, or any Offence hereby made punishable like Simple Larceny, after having been twice summarily convicted of any of the Offences punishable upon Summary Conviction, under the Provisions contained

tained in the Act of the Session held in the Seventh and Eighth Years of King *George* the Fourth, Chapter Twenty-nine, or the Act of the same Session, Chapter Thirty, or the Act of the Ninth Year of King *George* the Fourth, Chapter Fifty-five, or the Act of the same Year, Chapter Fifty-six, or the Act of the Session held in the Tenth and Eleventh Years of Queen *Victoria*, Chapter Eighty-two, or the Act of the Session held in the Eleventh and Twelfth Years of Queen *Victoria*, Chapter Fifty-nine, or in Sections Three, Four, Five, and Six of the Act of the Session held in the Fourteenth and Fifteenth Years of Queen *Victoria*, Chapter Ninety-two, or in this Act, or the Act of this Session, intituled *An Act to consolidate and amend the Statute Law of* England *and* Ireland *relating to malicious Injuries to Property*, (whether each of the Convictions shall have been in respect of an Offence of the same Description or not, and whether such Convictions or either of them shall have been or shall be before or after the passing of this Act,) shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

7 & 8 G. 4. cc. 29. 30. 9 G. 4. cc. 55. 56. 10 & 11 Vict. c. 82. 11 & 12 Vict. c. 59. 14 & 15 Vict. c. 92. 24 & 25 Vict. c. 97.

As to Larceny of Cattle or other Animals:

10. Whosoever shall steal any Horse, Mare, Gelding, Colt, or Filly, or any Bull, Cow, Ox, Heifer, or Calf, or any Ram, Ewe, Sheep, or Lamb, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Stealing Horses, Cows, Sheep, &c.

11. Whosoever shall wilfully kill any Animal, with Intent to steal the Carcase, Skin, or any Part of the Animal so killed, shall be guilty of Felony, and being convicted thereof shall be liable to the same Punishment as if he had been convicted of feloniously stealing the same, provided the Offence of stealing the Animal so killed would have amounted to Felony.

Killing Animals with Intent to steal the Carcase, &c.

12. Whosoever shall unlawfully and wilfully course, hunt, snare, or carry away, or kill or wound, or attempt to kill or wound, any Deer kept or being in the uninclosed Part of any Forest, Chase, or Purlieu, shall for every such Offence, on Conviction thereof before a Justice of the Peace, forfeit and pay such Sum, not exceeding Fifty Pounds, as to the Justice shall seem meet; and whosoever having been previously convicted of any Offence relating to Deer, for which a pecuniary Penalty shall have been imposed by this or by any former Act of Parliament, shall afterwards commit any of the Offences herein-before enumerated, whether such Second Offence be of the same Description as the first or not, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour,

Stealing Deer in an uninclosed Part of a Forest.

Second Offence.

and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Stealing Deer in any inclosed Ground.

13. Whosoever shall unlawfully and wilfully course, hunt, snare, or carry away, or kill or wound, or attempt to kill or wound, any Deer kept or being in the inclosed Part of any Forest, Chase, or Purlieu, or in any inclosed Land where Deer shall be usually kept, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Suspected Persons found in possession of Venison, &c., and not satisfactorily accounting for it.

14. If any Deer, or the Head, Skin, or other Part thereof, or any Snare or Engine for the taking of Deer, shall be found in the Possession of any Person or on the Premises of any Person with his Knowledge, and such Person, being taken, or summoned before a Justice of the Peace, shall not satisfy the Justice that he came lawfully by such Deer, or the Head, Skin, or other Part thereof, or had a lawful Occasion for such Snare or Engine, and did not keep the same for any unlawful Purpose, he shall, on Conviction by the Justice, forfeit and pay any Sum not exceeding Twenty Pounds; and if any such Person shall not under the said Provisions be liable to Conviction, then, for the Discovery of the Party who actually killed or stole such Deer, the Justice, at his Discretion, as the Evidence given and the Circumstances of the Case shall require, may summon before him every Person through whose Hands such Deer, or the Head, Skin, or other Part thereof, shall appear to have passed; and if the Person from whom the same shall have been first received, or who shall have had Possession thereof, shall not satisfy the Justice that he came lawfully by the same, he shall, on Conviction by the Justice, be liable to the Payment of such Sum of Money as is herein-before last mentioned.

Penalty.

In case they cannot be convicted, how the Justice may proceed.

Setting Engines for taking Deer or pulling down Park Fences.

15. Whosoever shall unlawfully and wilfully set or use any Snare or Engine whatsoever, for the Purpose of taking or killing Deer, in any Part of any Forest, Chase, or Purlieu, whether such Part be inclosed or not, or in any Fence or Bank dividing the same from any Land adjoining, or in any inclosed Land where Deer shall be usually kept, or shall unlawfully and wilfully destroy any Part of the Fence of any Land where any Deer shall be then kept, shall, on Conviction thereof before a Justice of the Peace, forfeit and pay such Sum of Money, not exceeding Twenty Pounds, as to the Justice shall seem meet.

Deer Keepers, &c. may seize the Guns, &c. of Offenders who, on Demand, do not deliver up the same.

16. If any Person shall enter into any Forest, Chase, or Purlieu, whether inclosed or not, or into any inclosed Land, where Deer shall be usually kept, with Intent unlawfully to hunt, course, wound, kill, snare, or carry away any Deer, every Person intrusted with the Care of such Deer, and any of his Assistants, whether in his Presence or not, may demand from every such Offender any Gun, Fire-arms, Snare, or Engine in his Possession, and any Dog there brought for hunting, coursing, or killing Deer, and in case such Offender shall not immediately deliver up the same, may seize and

and take the same from him in any of those respective Places, or, upon Pursuit made, in any other Place to which he may have escaped therefrom, for the Use of the Owner of the Deer; and if any such Offender shall unlawfully beat or wound any Person intrusted with the Care of the Deer, or any of his Assistants, in the Execution of any of the Powers given by this Act, every such Offender shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Penalty on Resistance to Keepers, &c. in the Execution of their Duty.

17. Whosoever shall unlawfully and wilfully, between the Expiration of the First Hour after Sunset and the Beginning of the last Hour before Sunrise, take or kill any Hare or Rabbit in any Warren or Ground lawfully used for the breeding or keeping of Hares or Rabbits, whether the same be inclosed or not, shall be guilty of a Misdemeanor; and whosoever shall unlawfully and wilfully, between the Beginning of the last Hour before Sunrise and the Expiration of the First Hour after Sunset, take or kill any Hare or Rabbit in any such Warren or Ground, or shall at any Time set or use therein any Snare or Engine for the taking of Hares or Rabbits, shall, on Conviction thereof before a Justice of the Peace, forfeit and pay such Sum of Money, not exceeding Five Pounds, as to the Justice shall seem meet; provided that nothing in this Section contained shall affect any Person taking or killing in the Daytime any Rabbits on any Sea Bank or River Bank in the County of *Lincoln*, so far as the Tide shall extend, or within One Furlong of such Bank.

Killing, &c. Hares or Rabbits in a Warren in the Night-time.

The like in the Day-time.

Exception.

18. Whosoever shall steal any Dog shall, on Conviction thereof before Two Justices of the Peace, either be committed to the Common Gaol or House of Correction, there to be imprisoned, or to be imprisoned and kept to Hard Labour, for any Term not exceeding Six Months, or shall forfeit and pay, over and above the Value of the said Dog, such Sum of Money, not exceeding Twenty Pounds, as to the said Justices shall seem meet; and whosoever, having been convicted of any such Offence, either against this or any former Act of Parliament, shall afterwards steal any Dog, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Eighteen Months, with or without Hard Labour.

Stealing Dogs.

Second Offence.

19. Whosoever shall unlawfully have in his Possession or on his Premises any stolen Dog, or the Skin of any stolen Dog, knowing such Dog to have been stolen or such Skin to be the Skin of a stolen Dog, shall, on Conviction thereof before Two Justices of the Peace, be liable to pay such Sum of Money, not exceeding Twenty Pounds, as to such Justices shall seem meet; and whosoever, having been convicted of any such Offence, either against this or any former Act of Parliament, shall afterwards be guilty of any such Offence as in this Section before mentioned, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned

Possession of stolen Dogs.

Second Offence.

for any Term not exceeding Eighteen Months, with or without Hard Labour.

Taking Money to restore Dogs.

20. Whosoever shall corruptly take any Money or Reward, directly or indirectly, under Pretence or upon account of aiding any Person to recover any Dog which shall have been stolen, or which shall be in the Possession of any Person not being the Owner thereof, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Eighteen Months, with or without Hard Labour.

Stealing Beasts or Birds ordinarily kept in Confinement, and not Subjects of Larceny.

21. Whosoever shall steal any Bird, Beast, or other Animal ordinarily kept in a State of Confinement or for any domestic Purpose, not being the Subject of Larceny at Common Law, or shall wilfully kill any such Bird, Beast, or Animal, with Intent to steal the same or any Part thereof, shall, on Conviction thereof before a Justice of the Peace, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour for any Term not exceeding Six Months, or else shall forfeit and pay, over and above the Value of the Bird, Beast, or other Animal, such Sum of Money, not exceeding Twenty Pounds, as to the Justice shall seem meet; and whosoever, having been convicted of any such Offence, either against this or any former Act of Parliament, shall afterwards commit any Offence in this Section before mentioned, and shall be convicted thereof in like Manner, shall be committed to the Common Gaol or House of Correction, there to be kept to Hard Labour for such Term not exceeding Twelve Months as the convicting Justice shall think fit.

Second Offence.

Persons found in possession of stolen Beasts, &c. liable to Penalties.

22. If any such Bird, or any of the Plumage thereof, or any Dog, or any such Beast, or the Skin thereof, or any such Animal, or any Part thereof, shall be found in the Possession or on the Premises of any Person, any Justice may restore the same respectively to the Owner thereof; and any Person in whose Possession or on whose Premises such Bird or the Plumage thereof, or such Beast or the Skin thereof, or such Animal or any Part thereof, shall be so found, (such Person knowing that the Bird, Beast, or Animal has been stolen, or that the Plumage is the Plumage of a stolen Bird, or that the Skin is the Skin of a stolen Beast, or that the Part is a Part of a stolen Animal,) shall, on Conviction before a Justice of the Peace, be liable for the First Offence to such Forfeiture, and for every subsequent Offence to such Punishment, as any Person convicted of stealing any Beast or Bird is made liable to by the last preceding Section.

Killing Pigeons.

23. Whosoever shall unlawfully and wilfully kill, wound, or take any House Dove or Pigeon under such Circumstances as shall not amount to Larceny at Common Law, shall, on Conviction before a Justice of the Peace, forfeit and pay, over and above the Value of the Bird, any Sum not exceeding Two Pounds.

Taking Fish in Water on Land belonging to a Dwelling House;

24. Whosoever shall unlawfully and wilfully take or destroy any Fish in any Water which shall run through or be in any Land adjoining or belonging to the Dwelling House of any Person being the Owner of such Water, or having a Right of Fishery therein,

shall

shall be guilty of a Misdemeanor; and whosoever shall unlawfully and wilfully take or destroy, or attempt to take or destroy, any Fish in any Water not being such as herein-before mentioned, but which shall be private Property, or in which there shall be any private Right of Fishery, shall, on Conviction thereof before a Justice of the Peace, forfeit and pay, over and above the Value of the Fish taken or destroyed (if any), such Sum of Money, not exceeding Five Pounds, as to the Justice shall seem meet: Provided, that nothing herein-before contained shall extend to any Person angling between the Beginning of the last Hour before Sunrise and the Expiration of the First Hour after Sunset; but whosoever shall by angling between the Beginning of the last Hour before Sunrise and the Expiration of the First Hour after Sunset unlawfully and wilfully take or destroy, or attempt to take or destroy, any Fish in any such Water as first mentioned, shall, on Conviction before a Justice of the Peace, forfeit and pay any Sum not exceeding Five Pounds, and if in any such Water as last mentioned, he shall, on the like Conviction, forfeit and pay any Sum not exceeding Two Pounds as to the Justice shall seem meet; and if the Boundary of any Parish, Township, or Vill shall happen to be in or by the Side of any such Water as is in this Section before mentioned, it shall be sufficient to prove that the Offence was committed either in the Parish, Township, or Vill named in the Indictment or Information, or in any Parish, Township, or Vill adjoining thereto.

in a private Fishery elsewhere.

Provision respecting Anglers.

Provision as to Boundaries of Parishes.

25. If any Person shall at any Time be found fishing against the Provisions of this Act, the Owner of the Ground, Water, or Fishery where such Offender shall be so found, his Servant, or any Person authorized by him, may demand from such Offender any Rod, Line, Hook, Net, or other Implement for taking or destroying Fish which shall then be in his Possession, and in case such Offender shall not immediately deliver up the same, may seize and take the same from him for the Use of such Owner: Provided, that any Person angling against the Provisions of this Act, between the Beginning of the last Hour before Sunrise and the Expiration of the First Hour after Sunset, from whom any Implement used by Anglers shall be taken, or by whom the same shall be so delivered up, shall by the taking or delivering thereof be exempted from the Payment of any Damages or Penalty for such Angling.

The Tackle of Fishers may be seized.

Angler, on Seizure of his Tackle, exempt from Penalty.

26. Whosoever shall steal any Oysters or Oyster Brood from any Oyster Bed, Laying, or Fishery, being the Property of any other Person, and sufficiently marked out or known as such, shall be guilty of Felony, and being convicted thereof shall be liable to be punished as in the Case of Simple Larceny; and whosoever shall unlawfully and wilfully use any Dredge, or any Net, Instrument, or Engine whatsoever, within the Limits of any Oyster Bed, Laying, or Fishery, being the Property of any other Person, and sufficiently marked out or known as such, for the Purpose of taking Oysters or Oyster Brood, although none shall be actually taken, or shall unlawfully and wilfully, with any Net, Instrument, or Engine, drag upon the Ground or Soil of any such Fishery,

Stealing or dredging for Oysters in Oyster Fisheries.

shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Three Months, with or without Hard Labour, and with or without Solitary Confinement; and it shall be sufficient in any Indictment to describe either by Name or otherwise the Bed, Laying, or Fishery in which any of the said Offences shall have been committed, without stating the same to be in any particular Parish, Township, or Vill: Provided, that nothing in this Section contained shall prevent any Person from catching or fishing for any floating Fish within the Limits of any Oyster Fishery with any Net, Instrument, or Engine adapted for taking floating Fish only.

Form of Indictment.

Proviso as to floating Fish.

As to Larceny of written Instruments:

Bonds, Bills, Notes, &c.

27. Whosoever shall steal, or shall for any fraudulent Purpose destroy, cancel, or obliterate, the whole or any Part of any valuable Security, other than a Document of Title to Lands, shall be guilty of Felony, of the same Nature and in the same Degree and punishable in the same Manner as if he had stolen any Chattel of like Value with the Share, Interest, or Deposit to which the Security so stolen may relate, or with the Money due on the Security so stolen, or secured thereby and remaining unsatisfied, or with the Value of the Goods or other valuable Thing represented, mentioned, or referred to in or by the Security.

Deeds, &c. relating to Real Property.

28. Whosoever shall steal, or shall for any fraudulent Purpose destroy, cancel, obliterate, or conceal, the whole or any Part of any Document of Title to Lands shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement; and in any Indictment for any such Offence relating to any Document of Title to Lands, it shall be sufficient to allege such Document to be or to contain Evidence of the Title or of Part of the Title of the Person or of some One of the Persons having an Interest, whether vested or contingent, legal or equitable, in the Real Estate to which the same relates, and to mention such Real Estate or some Part thereof.

Form of Indictment.

Wills or Codicils.

29. Whosoever shall, either during the Life of the Testator or after his Death, steal, or for any fraudulent Purpose destroy, cancel, obliterate, or conceal, the whole or any Part of any Will, Codicil, or other Testamentary Instrument, whether the same shall relate to Real or Personal Estate, or to both, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement; and it shall not in any Indictment for such Offence be necessary to allege that such Will, Codicil, or other Instrument is the Property of any Person: Provided, that nothing in this or the last preceding Section mentioned, nor any Proceeding, Conviction, or Judgment to be had or taken thereupon, shall prevent, lessen, or impeach any

Other Remedies not to be affected.

any Remedy at Law or in Equity which any Party aggrieved by any such Offence might or would have had if this Act had not been passed; but no Conviction of any such Offender shall be received in Evidence in any Action at Law or Suit in Equity against him; and no Person shall be liable to be convicted of any of the Felonies in this and the last preceding Section mentioned, by any Evidence whatever, in respect of any Act done by him, if he shall at any Time previously to his being charged with such Offence have first disclosed such Act, on Oath, in consequence of any compulsory Process of any Court of Law or Equity in any Action, Suit, or Proceeding which shall have been *bonâ fide* instituted by any Party aggrieved, or if he shall have first disclosed the same in any compulsory Examination or Deposition before any Court upon the Hearing of any Matter in Bankruptcy or Insolvency.

Stealing Records or other legal Documents.

30. Whosoever shall steal, or shall for any fraudulent Purpose take from its Place of Deposit for the Time being, or from any Person having the lawful Custody thereof, or shall unlawfully and maliciously cancel, obliterate, injure, or destroy the whole or any Part of any Record, Writ, Return, Panel, Process, Interrogatory, Deposition, Affidavit, Rule, Order, or Warrant of Attorney, or of any original Document whatsoever of or belonging to any Court of Record, or relating to any Matter, Civil or Criminal, begun, depending, or terminated in any such Court, or of any Bill, Petition, Answer, Interrogatory, Deposition, Affidavit, Order, or Decree, or of any original Document whatsoever of or belonging to any Court of Equity, or relating to any Cause or Matter begun, depending, or terminated in any such Court, or of any original Document in anywise relating to the Business of any Office or Employment under Her Majesty, and being or remaining in any Office appertaining to any Court of Justice, or in any of Her Majesty's Castles, Palaces, or Houses, or in any Government or Public Office, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement; and it shall not in any Indictment for such Offence be necessary to allege that the Article in respect of which the Offence is committed is the Property of any Person.

Form of Indictment.

As to Larceny of Things attached to or growing on Land:

Metal, Glass, Wood, &c. fixed to House or Land.

31. Whosoever shall steal, or shall rip, cut, sever, or break with Intent to steal, any Glass or Woodwork belonging to any Building whatsoever, or any Lead, Iron, Copper, Brass, or other Metal, or any Utensil or Fixture, whether made of Metal or other Material or of both, respectively fixed in or to any Building whatsoever, or any Thing made of Metal fixed in any Land being private Property, or for a Fence to any Dwelling House, Garden, or Area, or in any Square or Street, or in any Place dedicated to public Use or Ornament, or in any Burial Ground, shall be guilty of Felony, and being convicted thereof shall be liable to be punished as in the Case of Simple Larceny; and in the Case of any

any such Thing fixed in any such Square, Street, or Place as aforesaid, it shall not be necessary to allege the same to be the Property of any Person.

Trees in Pleasure Grounds of the Value of 1*l.*, or elsewhere of the Value of 5*l.*

32. Whosoever shall steal, or shall cut, break, root up, or otherwise destroy or damage with Intent to steal, the whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, respectively growing in any Park, Pleasure Ground, Garden, Orchard, or Avenue, or in any Ground adjoining or belonging to any Dwelling House, shall (in case the Value of the Article or Articles stolen, or the Amount of the Injury done, shall exceed the Sum of One Pound,) be guilty of Felony, and being convicted thereof shall be liable to be punished as in the Case of Simple Larceny; and whosoever shall steal, or shall cut, break, root up, or otherwise destroy or damage with Intent to steal, the whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, respectively growing elsewhere than in any of the Situations in this Section before mentioned, shall (in case the Value of the Article or Articles stolen, or the Amount of the Injury done, shall exceed the Sum of Five Pounds,) be guilty of Felony, and being convicted thereof shall be liable to be punished as in the Case of Simple Larceny.

Stealing Trees, &c. worth more than 1*s.* punishable on Summary Conviction for First and Second Offence;

Third Offence, Felony.

Second Offence.

Third Offence.

33. Whosoever shall steal, or shall cut, break, root up, or otherwise destroy or damage with Intent to steal, the whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, wheresoever the same may be respectively growing, the stealing of such Article or Articles, or the Injury done, being to the Amount of a Shilling at the least, shall, on Conviction thereof before a Justice of the Peace, forfeit and pay, over and above the Value of the Article or Articles stolen, or the Amount of the Injury done, such Sum of Money not exceeding Five Pounds as to the Justice shall seem meet; and whosoever having been convicted of any such Offence, either against this or any former Act of Parliament, shall afterwards commit any of the said Offences in this Section before mentioned, and shall be convicted thereof in like Manner, shall for such Second Offence be committed to the Common Gaol or House of Correction, there to be kept to Hard Labour for such Term not exceeding Twelve Months as the convicting Justice shall think fit; and whosoever, having been twice convicted of any such Offence (whether both or either of such Convictions shall have taken place before or after the passing of this Act), shall afterwards commit any of the Offences in this Section before mentioned, shall be guilty of Felony, and being convicted thereof shall be liable to be punished in the same Manner as in the Case of Simple Larceny.

Stealing, &c. any live or dead Fence, wooden Fence, Stile, or Gate.

34. Whosoever shall steal, or shall cut, break, or throw down with Intent to steal, any Part of any live or dead Fence, or any wooden Post, Pale, Wire, or Rail set up or used as a Fence, or any Stile or Gate, or any Part thereof respectively, shall, on Conviction thereof before a Justice of the Peace, forfeit and pay, over and above the Value of the Article or Articles so stolen, or the Amount of the Injury done, such Sum of Money not exceeding Five Pounds as to the Justice shall seem meet; and

whosoever,

whosoever, having been convicted of any such Offence, either against this or any former Act of Parliament, shall afterwards commit any of the said Offences in this Section before mentioned, and shall be convicted thereof in like Manner, shall be committed to the Common Gaol or House of Correction, there to be kept to Hard Labour, for such Term not exceeding Twelve Months as the convicting Justice shall think fit. Second Offence.

35. If the whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, or any Part of any live or dead Fence, or any Post, Pale, Wire, Rail, Stile, or Gate, or any Part thereof, being of the Value of One Shilling at the least, shall be found in the Possession of any Person, or on the Premises of any Person, with his Knowledge, and such Person, being taken or summoned before a Justice of the Peace, shall not satisfy the Justice that he came lawfully by the same, he shall on Conviction by the Justice forfeit and pay, over and above the Value of the Article or Articles so found, any Sum not exceeding Two Pounds. Suspected Persons in possession of Wood, &c., not satisfactorily accounting for it.

36. Whosoever shall steal, or shall destroy or damage with Intent to steal, any Plant, Root, Fruit, or Vegetable Production growing in any Garden, Orchard, Pleasure Ground, Nursery Ground, Hothouse, Greenhouse, or Conservatory, shall, on Conviction thereof before a Justice of the Peace, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for any Term not exceeding Six Months, or else shall forfeit and pay over and above the Value of the Article or Articles so stolen, or the Amount of the Injury done, such Sum of Money not exceeding Twenty Pounds as to the Justice shall seem meet; and whosoever having been convicted of any such Offence, either against this or any former Act of Parliament, shall afterwards commit any of the Offences in this Section before mentioned, shall be guilty of Felony, and being convicted thereof shall be liable to be punished in the same Manner as in the Case of Simple Larceny. Stealing, &c. any Fruit, &c., punishable on Summary Conviction for First Offence; Second Offence, Felony.

37. Whosoever shall steal, or shall destroy or damage with Intent to steal, any cultivated Root or Plant used for the Food of Man or Beast, or for Medicine, or for distilling, or for dyeing, or for or in the Course of any Manufacture, and growing in any Land, open or inclosed, not being a Garden, Orchard, Pleasure Ground, or Nursery Ground, shall, on Conviction thereof before a Justice of the Peace, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for any Term not exceeding One Month, or else shall forfeit and pay, over and above the Value of the Article or Articles so stolen, or the Amount of the Injury done, such Sum of Money not exceeding Twenty Shillings as to the Justice shall seem meet, and in default of Payment thereof, together with the Costs (if ordered), shall be committed as aforesaid for any Term not exceeding One Month, unless Payment be sooner made; and whosoever, having been convicted of any such Offence either against this or any former Act of Parliament, shall afterwards commit Stealing, &c. Vegetable Productions not growing in Gardens, &c. Second Offence.

commit any of the said Offences in this Section before mentioned, and shall be convicted thereof in like Manner, shall be committed to the Common Gaol or House of Correction, there to be kept to Hard Labour, for such Term not exceeding Six Months as the convicting Justice shall think fit.

As to Larceny from Mines:

Ore of Metal, Coal, &c.

38. Whosoever shall steal, or sever with Intent to steal, the Ore of any Metal, or any Lapis Calaminaris, Manganese or Mundick, or any Wad, Black Cawke, or Black Lead, or any Coal or Cannel Coal, from any Mine, Bed, or Vein thereof respectively, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Miners removing Ore with Intent to defraud.

39. Whosoever, being employed in or about any Mine, shall take, remove, or conceal any Ore of any Metal, or any Lapis Calaminaris, Manganese, Mundick, or other Mineral found or being in such Mine, with Intent to defraud any Proprietor of or any Adventurer in such Mine, or any Workman or Miner employed therein, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to Larceny from the Person, and other like Offences:

Robbery or Stealing from the Person.

40. Whosoever shall rob any Person, or shall steal any Chattel, Money, or valuable Security from the Person of another, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

On Trial for Robbery, Jury may convict of an Assault with Intent to rob.

41. If upon the Trial of any Person upon any Indictment for Robbery it shall appear to the Jury upon the Evidence that the Defendant did not commit the Crime of Robbery, but that he did commit an Assault with Intent to rob, the Defendant shall not by reason thereof be entitled to be acquitted, but the Jury shall be at liberty to return as their Verdict that the Defendant is guilty of an Assault with Intent to rob; and thereupon such Defendant shall be liable to be punished in the same Manner as if he had been convicted upon an Indictment for feloniously assaulting with Intent to rob; and no Person so tried as is herein lastly mentioned shall be liable to be afterwards prosecuted for an Assault with Intent to commit the Robbery for which he was so tried.

Assault with Intent to rob.

42. Whosoever shall assault any Person with Intent to rob shall be guilty of Felony, and being convicted thereof shall (save and except in the Cases where a greater Punishment is provided by this Act) be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

43. Whosoever

Robbery or Assault by a Person armed, or by Two or more, or Robbery and wounding.

43. Whosoever shall, being armed with any offensive Weapon or Instrument, rob, or assault with Intent to rob, any Person, or shall, together with One or more other Person or Persons, rob, or assault with Intent to rob, any Person, or shall rob any Person, and at the Time of or immediately before or immediately after such Robbery shall wound, beat, strike, or use any other personal Violence to any Person, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life, or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Letter demanding Money, &c. with Menaces.

44. Whosoever shall send, deliver, or utter, or directly or indirectly cause to be received, knowing the Contents thereof, any Letter or Writing demanding of any Person with Menaces, and without any reasonable or probable Cause, any Property, Chattel, Money, valuable Security, or other valuable Thing, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Demanding Money, &c. with Menaces, or by Force, with Intent to steal.

45. Whosoever shall with Menaces or by Force demand any Property, Chattel, Money, valuable Security, or other valuable Thing of any Person, with Intent to steal the same, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Letter threatening to accuse of Crime, with Intent to extort.

46. Whosoever shall send, deliver, or utter, or directly or indirectly cause to be received, knowing the Contents thereof, any Letter or Writing accusing or threatening to accuse any other Person of any Crime punishable by Law with Death or Penal Servitude for not less than Seven Years, or of any Assault with Intent to commit any Rape, or of any Attempt or Endeavour to commit any Rape, or of any infamous Crime as herein-after defined, with a View or Intent in any of such Cases to extort or gain by means of such Letter or Writing any Property, Chattel, Money, valuable Security, or other valuable Thing, from any Person, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life, or for any Term not less than Three Years, —or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping; and the abominable Crime of Buggery, committed either with Mankind or with Beast, and every Assault with Intent to commit the said abominable Crime, and every Attempt or Endeavour to commit the said abominable Crime, and every Solicitation, Persuasion, Promise, or Threat offered

"Infamous Crime" defined.

offered or made to any Person whereby to move or induce such Person to commit or permit the said abominable Crime, shall be deemed to be an infamous Crime within the Meaning of this Act.

Accusing or threatening to accuse, with Intent to extort.

47. Whosoever shall accuse or threaten to accuse, either the Person to whom such Accusation or Threat shall be made or any other Person, of any of the infamous or other Crimes lastly herein-before mentioned, with the View or Intent in any of the Cases last aforesaid to extort or gain from such Person so accused or theratened to be accused, or from any other Person, any Property, Chattel Money, valuable Security, or other valuable Thing, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life, or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Inducing a Person by Violence or Threats to execute Deeds, &c., with Intent to defraud.

48. Whosoever, with Intent to defraud or injure any other Person, shall, by any unlawful Violence to or Restraint of, or Threat of Violence to or Restraint of, the Person of another, or by accusing or threatening to accuse any Person of any Treason, Felony, or infamous Crime as herein-before defined, compel or induce any Person to execute, make, accept, indorse, alter, or destroy the whole or any Part of any valuable Security, or to write, impress, or affix his Name, or the Name of any other Person, or of any Company, Firm, or Copartnership, or the Seal of any Body Corporate, Company, or Society, upon or to any Paper or Parchment, in order that the same may be afterwards made or converted into, or used or dealt with as, a valuable Security, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life, or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Immaterial from whom Menaces proceed.

49. It shall be immaterial whether the Menaces or Threats herein-before mentioned be of Violence, Injury, or Accusation to be caused or made by the Offender or by any other Person.

As to Sacrilege, Burglary, and Housebreaking:

Breaking and entering a Church or Chapel and committing any Felony.

50. Whosoever shall break and enter any Church, Chapel, Meeting House, or other Place of Divine Worship, and commit any Felony therein, or being in any Church, Chapel, Meeting House, or other Place of Divine Worship shall commit any Felony therein and break out of the same, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life, or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Burglary by breaking out.

51. Whosoever shall enter the Dwelling House of another with Intent to commit any Felony therein, or being in such Dwelling House shall commit any Felony therein, and shall in either

either Case break out of the said Dwelling House in the Night, shall be deemed guilty of Burglary.

Burglary.

52. Whosoever shall be convicted of the Crime of Burglary shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life, or for any Term not less than Three Years, —or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

What Building shall be deemed Part of Dwelling House.

53. No Building, although within the same Curtilage with any Dwelling House, and occupied therewith, shall be deemed to be Part of such Dwelling House for any of the Purposes of this Act, unless there shall be a Communication between such Building and Dwelling House, either immediate, or by means of a covered and inclosed Passage leading from the one to the other.

Entering a Dwelling House in the Night with Intent to commit any Felony.

54. Whosoever shall enter any Dwelling House in the Night, with Intent to commit any Felony therein, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Breaking into any Building within the Curtilage, &c. and committing any Felony.

55. Whosoever shall break and enter any Building, and commit any Felony therein, such Building being within the Curtilage of a Dwelling House, and occupied therewith, but not being Part thereof, according to the Provision herein-before mentioned, or being in any such Building shall commit any Felony therein, and break out of the same, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Breaking into any House, Shop, Warehouse, &c., and committing any Felony.

56. Whosoever shall break and enter any Dwelling House, Schoolhouse, Shop, Warehouse, or Counting-house, and commit any Felony therein, or, being in any Dwelling House, Schoolhouse, Shop, Warehouse, or Counting-house, shall commit any Felony therein, and break out of the same, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Housebreaking, &c. with Intent to commit any Felony.

57. Whosoever shall break and enter any Dwelling House, Church, Chapel, Meeting House, or other Place of Divine Worship, or any Building within the Curtilage, Schoolhouse, Shop, Warehouse, or Counting-house, with Intent to commit any Felony therein, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not

not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Being armed with Intent to break and enter any House in the Night.

58. Whosoever shall be found by Night armed with any dangerous or offensive Weapon or Instrument whatsoever, with Intent to break or enter into any Dwelling House or other Building whatsoever, and to commit any Felony therein, or shall be found by Night having in his Possession without lawful Excuse (the Proof of which Excuse shall lie on such Person) any Picklock Key, Crow, Jack, Bit, or other Implement of Housebreaking, or shall be found by Night having his Face blackened or otherwise disguised with Intent to commit any Felony, or shall be found by Night in any Dwelling House or other Building whatsoever with Intent to commit any Felony therein, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

The like, after a previous Conviction for Felony, &c.

59. Whosoever shall be convicted of any such Misdemeanor as in the last preceding Section mentioned, committed after a previous Conviction, either for Felony or such Misdemeanor, shall on such subsequent Conviction be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Ten Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

As to Larceny in the House:

Stealing in a Dwelling House to the Value of 5*l.*

60. Whosoever shall steal in any Dwelling House any Chattel, Money, or valuable Security, to the Value in the whole of Five Pounds or more, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Stealing in a Dwelling House with Menaces.

61. Whosoever shall steal any Chattel, Money, or valuable Security in any Dwelling House, and shall by any Menace or Threat put any one being therein in bodily Fear, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to Larceny in Manufactories:

Stealing Goods in Process of Manufacture.

62. Whosoever shall steal, to the Value of Ten Shillings, any Woollen, Linen, Hempen, or Cotton Yarn, or any Goods or Article of Silk, Woollen, Linen, Cotton, Alpaca, or Mohair, or of any One or more of those Materials mixed with each other, or mixed with any other Material, whilst laid, placed, or exposed, during any Stage, Process, or Progress of Manufacture, in any Building, Field, or other Place, shall be guilty of Felony,

and

and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to Larceny in Ships, Wharfs, &c.

Stealing from Ships, Docks, Wharfs, &c.

63. Whosoever shall steal any Goods or Merchandise in any Vessel, Barge, or Boat of any Description whatsoever in any Haven, or in any Port of Entry or Discharge, or upon any navigable River or Canal, or in any Creek or Basin belonging to or communicating with any such Haven, Port, River, or Canal, or shall steal any Goods or Merchandise from any Dock, Wharf, or Quay adjacent to any such Haven, Port, River, Canal, Creek, or Basin, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Stealing from Ship in Distress or wrecked.

64. Whosoever shall plunder or steal any Part of any Ship or Vessel which shall be in Distress, or wrecked, stranded, or cast on shore, or any Goods, Merchandise, or Articles of any kind belonging to such Ship or Vessel, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement; and the Offender may be indicted and tried either in the County or Place in which the Offence shall have been committed or in any County or Place next adjoining.

Persons in possession of shipwrecked Goods not giving a satisfactory Account.

65. If any Goods, Merchandise, or Articles of any kind, belonging to any Ship or Vessel in Distress, or wrecked, stranded, or cast on shore, shall be found in the Possession of any Person, or on the Premises of any Person with his Knowledge, and such Person, being taken or summoned before a Justice of the Peace, shall not satisfy the Justice that he came lawfully by the same, then the same shall, by Order of the Justice, be forthwith delivered over to or for the Use of the rightful Owner thereof; and the Offender shall, on Conviction of such Offence before the Justice, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for any Term not exceeding Six Months, or else shall forfeit and pay, over and above the Value of the Goods, Merchandise, or Articles, such Sum of Money not exceeding Twenty Pounds as to the Justice shall seem meet.

If any Person offers shipwrecked Goods for Sale, the Goods may be seized, &c.

66. If any Person shall offer or expose for Sale any Goods, Merchandise, or Articles whatsoever, which shall have been unlawfully taken, or shall be reasonably suspected so to have been taken, from any Ship or Vessel in Distress, or wrecked, stranded, or

or cast on shore, in every such Case any Person to whom the same shall be offered for Sale, or any Officer of the Customs or Excise, or Peace Officer, may lawfully seize the same, and shall with all convenient Speed carry the same, or give Notice of such Seizure, to some Justice of the Peace; and if the Person who shall have offered or exposed the same for Sale, being summoned by such Justice, shall not appear and satisfy the Justice that he came lawfully by such Goods, Merchandise, or Articles, then the same shall, by Order of the Justice, be forthwith delivered over to or for the Use of the rightful Owner thereof, upon Payment of a reasonable Reward (to be ascertained by the Justice) to the Person who seized the same; and the Offender shall, on Conviction of such Offence by the Justice, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for any Term not exceeding Six Months, or else shall forfeit and pay, over and above the Value of the Goods, Merchandise, or Articles, such Sum of Money not exceeding Twenty Pounds as to the Justice shall seem meet.

As to Larceny or Embezzlement by Clerks, Servants, or Persons in the Public Service:

Larceny by Clerks or Servants.

67. Whosoever, being a Clerk or Servant, or being employed for the Purpose or in the Capacity of a Clerk or Servant, shall steal any Chattel, Money, or valuable Security belonging to or in the Possession or Power of his Master or Employer, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Embezzlement by Clerks or Servants.

68. Whosoever, being a Clerk or Servant, or being employed for the Purpose or in the Capacity of a Clerk or Servant, shall fraudulently embezzle any Chattel, Money, or valuable Security, which shall be delivered to or received or taken into possession by him for or in the Name or on the Account of his Master or Employer, or any Part thereof, shall be deemed to have feloniously stolen the same from his Master or Employer, although such Chattel, Money, or Security was not received into the Possession of such Master or Employer otherwise than by the actual Possession of his Clerk, Servant, or other Person so employed, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Larceny by Persons in the Queen's Service or by the Police.

69. Whosoever being employed in the Public Service of Her Majesty, or being a Constable or other Person employed in the Police of any County, City, Borough, District, or Place whatsoever, shall steal any Chattel, Money, or valuable Security belonging

belonging to or in the Possession or Power of Her Majesty, or intrusted to or received or taken into possession by him by virtue of his Employment, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Embezzlement by Persons in the Queen's Service, or by the Police.

70. Whosoever, being employed in the Public Service of Her Majesty, or being a Constable or other Person employed in the Police of any County, City, Borough, District, or Place whatsoever, and intrusted by virtue of such Employment with the Receipt, Custody, Management, or Control of any Chattel, Money, or valuable Security, shall embezzle any Chattel, Money, or valuable Security which shall be intrusted to or received or taken into possession by him by virtue of his Employment, or any Part thereof, or in any Manner fraudulently apply or dispose of the same or any Part thereof to his own Use or Benefit, or for any Purpose whatsoever except for the Public Service, shall be deemed to have feloniously stolen the same from Her Majesty, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour; and every Offender against this or the last preceding Section may be dealt with, indicted, tried, and punished either in the County or Place in which he shall be apprehended or be in Custody, or in which he shall have committed the Offence; and in every Case of Larceny, Embezzlement, or fraudulent Application or Disposition of any Chattel, Money, or valuable Security in this and the last preceding Section mentioned, it shall be lawful in the Warrant of Commitment by the Justice of the Peace before whom the Offender shall be charged, and in the Indictment to be preferred against such Offender, to lay the Property of any such Chattel, Money, or valuable Security in Her Majesty.

Venue.

Form of Warrant of Commitment and Indictment.

Distinct Acts of Embezzlement may be charged in the same Indictment.

71. For preventing Difficulties in the Prosecution of Offenders in any Case of Embezzlement, fraudulent Application or Disposition, herein-before mentioned, it shall be lawful to charge in the Indictment and proceed against the Offender for any Number of distinct Acts of Embezzlement, or of fraudulent Application or Disposition, not exceeding Three, which may have been committed by him against Her Majesty or against the same Master or Employer, within the Space of Six Months from the first to the last of such Acts; and in every such Indictment where the Offence shall relate to any Money or any valuable Security it shall be sufficient to allege the Embezzlement, or fraudulent Application or Disposition, to be of Money, without specifying any particular Coin or valuable Security; and such Allegation, so far as regards the Description of the Property, shall be sustained if the Offender shall be proved to have embezzled or fraudulently applied or disposed of any Amount, although the

particular Species of Coin or valuable Security of which such Amount was composed shall not be proved; or if he shall be proved to have embezzled or fraudulently applied or disposed of any Piece of Coin or any valuable Security, or any Portion of the Value thereof, although such Piece of Coin or valuable Security may have been delivered to him in order that some Part of the Value thereof should be returned to the Party delivering the same, or to some other Person, and such Part shall have been returned accordingly.

Person indicted for Embezzlement as a Clerk, &c. not to be acquitted if the Offence turn out to be Larceny; and vice versâ.

72. If upon the Trial of any Person indicted for Embezzlement, or fraudulent Application or Disposition as aforesaid, it shall be proved that he took the Property in question in any such Manner as to amount in Law to Larceny, he shall not by reason thereof be entitled to be acquitted, but the Jury shall be at liberty to return as their Verdict that such Person is not guilty of Embezzlement, or fraudulent Application or Disposition, but is guilty of Simple Larceny, or of Larceny as a Clerk, Servant, or Person employed for the Purpose or in the Capacity of a Clerk or Servant, or as a Person employed in the Public Service, or in the Police, as the Case may be; and thereupon such Person shall be liable to be punished in the same Manner as if he had been convicted upon an Indictment for such Larceny; and if upon the Trial of any Person indicted for Larceny it shall be proved that he took the Property in question in any such Manner as to amount in Law to Embezzlement, or fraudulent Application or Disposition as aforesaid, he shall not by reason thereof be entitled to be acquitted, but the Jury shall be at liberty to return as their Verdict that such Person is not guilty of Larceny, but is guilty of Embezzlement, or fraudulent Application or Disposition, as the Case may be, and thereupon such Person shall be liable to be punished in the same Manner as if he had been convicted upon an Indictment for such Embezzlement, fraudulent Application or Disposition; and no Person so tried for Embezzlement, fraudulent Application or Disposition, or Larceny as aforesaid, shall be liable to be afterwards prosecuted for Larceny, fraudulent Application or Disposition, or Embezzlement, upon the same Facts.

Embezzlement by Officers of the Bank of England or Ireland.

73. Whosoever, being an Officer or Servant of the Governor and Company of the Bank of *England* or of the Bank of *Ireland*, and being intrusted with any Bond, Deed, Note, Bill, Dividend Warrant, or Warrant for Payment of any Annuity or Interest, or Money, or with any Security, Money, or other Effects of or belonging to the said Governor and Company, or having any Bond, Deed, Note, Bill, Dividend Warrant, or Warrant for Payment of any Annuity or Interest, or Money, or any Security, Money, or other Effects of any other Person, Body Politic or Corporate, lodged or deposited with the said Governor and Company, or with him as an Officer or Servant of the said Governor and Company, shall secrete, embezzle, or run away with any such Bond, Deed, Note, Bill, Dividend or other Warrant, Security, Money, or other Effects as aforesaid, or any Part thereof, shall be guilty of Felony, and being convicted thereof

shall

shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to Larceny by Tenants or Lodgers:

Tenant or Lodger stealing Chattel or Fixture let to Hire with House or Lodgings.

74. Whosoever shall steal any Chattel or Fixture let to be used by him or her in or with any House or Lodging, whether the Contract shall have been entered into by him or her or by her Husband, or by any Person on behalf of him or her or her Husband, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping, and in case the Value of such Chattel or Fixture shall exceed the Sum of Five Pounds, shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping; and in every Case of stealing any Chattel in this Section mentioned it shall be lawful to prefer an Indictment in the common Form as for Larceny, and in every Case of stealing any Fixture in this Section mentioned to prefer an Indictment in the same Form as if the Offender were not a Tenant or Lodger, and in either Case to lay the Property in the Owner or Person letting to Hire.

As to Frauds by Agents, Bankers, or Factors:

Agent, Banker, &c. embezzling Money or selling Securities, &c. intrusted to him;

or Goods, &c. intrusted to him for safe Custody.

75. Whosoever, having been intrusted, either solely, or jointly with any other Person, as a Banker, Merchant, Broker, Attorney, or other Agent, with any Money or Security for the Payment of Money, with any Direction in Writing to apply, pay, or deliver such Money or Security or any Part thereof respectively, or the Proceeds or any Part of the Proceeds of such Security, for any Purpose, or to any Person specified in such Direction, shall, in violation of good Faith, and contrary to the Terms of such Direction, in anywise convert to his own Use or Benefit, or the Use or Benefit of any Person other than the Person by whom he shall have been so intrusted, such Money, Security, or Proceeds, or any Part thereof respectively; and whosoever, having been intrusted, either solely, or jointly with any other Person, as a Banker, Merchant, Broker, Attorney, or other Agent, with any Chattel or valuable Security, or any Power of Attorney for the Sale or Transfer of any Share or Interest in any Public Stock or Fund, whether of the United Kingdom, or any Part thereof, or of any Foreign State, or in any Stock or Fund of any Body Corporate, Company, or Society, for safe Custody or for any special Purpose, without any Authority to sell, negotiate, transfer, or pledge, shall, in violation of good Faith, and contrary to the Object or Purpose for which such Chattel, Security, or Power of Attorney shall have been intrusted to him, sell, negotiate,

tiate, transfer, pledge, or in any Manner convert to his own Use or Benefit, or the Use or Benefit of any Person other than the Person by whom he shall have been so intrusted, such Chattel or Security, or the Proceeds of the same, or any Part thereof, or the Share or Interest in the Stock or Fund to which such Power of Attorney shall relate, or any Part thereof, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement; but nothing in this Section contained relating to Agents shall affect any Trustee in or under any Instrument whatsoever, or any Mortgagee of any Property, Real or Personal, in respect of any Act done by such Trustee or Mortgagee in relation to the Property comprised in or affected by any such Trust or Mortgage; nor shall restrain any Banker, Merchant, Broker, Attorney, or other Agent from receiving any Money which shall be or become actually due and payable upon or by virtue of any valuable Security, according to the Tenor and Effect thereof, in such Manner as he might have done if this Act had not been passed; nor from selling, transferring, or otherwise disposing of any Securities or Effects in his Possession upon which he shall have any Lien, Claim, or Demand entitling him by Law so to do, unless such Sale, Transfer, or other Disposal shall extend to a greater Number or Part of such Securities or Effects than shall be requisite for satisfying such Lien, Claim, or Demand.

Punishment.

Not to affect Trustees or Mortgagees;

nor Bankers, &c. receiving Money due on Securities;

or disposing of Securities on which they have a Lien.

Bankers, &c. fraudulently selling, &c. Property intrusted to their Care.

76. Whosoever, being a Banker, Merchant, Broker, Attorney, or Agent, and being intrusted, either solely, or jointly with any other Person, with the Property of any other Person for safe Custody, shall, with Intent to defraud, sell, negotiate, transfer, pledge, or in any Manner convert or appropriate the same or any Part thereof to or for his own Use or Benefit, or the Use or Benefit of any Person other than the Person by whom he was so intrusted, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to any of the Punishments which the Court may award as herein-before last mentioned.

Persons under Powers of Attorney fraudulently selling Property.

77. Whosoever, being intrusted, either solely, or jointly with any other Person, with any Power of Attorney for the Sale or Transfer of any Property, shall fraudulently sell or transfer or otherwise convert the same or any Part thereof to his own Use or Benefit, or the Use or Benefit of any Person other than the Person by whom he was so intrusted, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to any of the Punishments which the Court may award as herein-before last mentioned.

Factors obtaining Advances on the Property of their Principals.

78. Whosoever, being a Factor or Agent intrusted, either solely, or jointly with any other Person, for the Purpose of Sale or otherwise, with the Possession of any Goods, or of any Document of Title to Goods, shall, contrary to or without the Authority

rity of his Principal in that Behalf, for his own Use or Benefit, or the Use or Benefit of any Person other than the Person by whom he was so intrusted, and in violation of good Faith, make any Consignment, Deposit, Transfer, or Delivery of any Goods or Document of Title so intrusted to him as in this Section before mentioned, as and by way of a Pledge, Lien, or Security for any Money or valuable Security borrowed or received by such Factor or Agent at or before the Time of making such Consignment, Deposit, Transfer, or Delivery, or intended to be thereafter borrowed or received, or shall, contrary to or without such Authority, for his own Use or Benefit, or the Use or Benefit of any Person other than the Person by whom he was so intrusted, and in violation of good Faith, accept any Advance of any Money or valuable Security on the Faith of any Contract or Agreement to consign, deposit, transfer, or deliver any such Goods or Document of Title, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to any of the Punishments which the Court may award as herein-before last mentioned; and every Clerk or other Person who shall knowingly and wilfully act and assist in making any such Consignment, Deposit, Transfer, or Delivery, or in accepting or procuring such Advance as aforesaid, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to any of the same Punishments: Provided, that no such Factor or Agent shall be liable to any Prosecution for consigning, depositing, transferring, or delivering any such Goods or Documents of Title, in case the same shall not be made a Security for or subject to the Payment of any greater Sum of Money than the Amount which at the Time of such Consignment, Deposit, Transfer, or Delivery was justly due and owing to such Agent from his Principal, together with the Amount of any Bill of Exchange drawn by or on account of such Principal, and accepted by such Factor or Agent.

Clerks wilfully assisting.

Cases excepted where the Pledge does not exceed the Amount of their Lien.

79. Any Factor or Agent intrusted as aforesaid, and possessed of any such Document of Title, whether derived immediately from the Owner of such Goods or obtained by reason of such Factor or Agent having been intrusted with the Possession of the Goods, or of any other Document of Title thereto, shall be deemed to have been intrusted with the Possession of the Goods represented by such Document of Title; and every Contract pledging or giving a Lien upon such Document of Title as aforesaid shall be deemed to be a Pledge of and Lien upon the Goods to which the same relates; and such Factor or Agent shall be deemed to be possessed of such Goods or Document, whether the same shall be in his actual Custody, or shall be held by any other Person subject to his Control, or for him or on his Behalf; and where any Loan or Advance shall be *bonâ fide* made to any Factor or Agent intrusted with and in possession of any such Goods or Document of Title, on the Faith of any Contract or Agreement in Writing to consign, deposit, transfer, or deliver such Goods or Documents of Title, and such Goods or Document of Title shall actually be received by the Person making such

Definitions of Terms:

"intrusted:"

"pledge:"

"possessed:"

"Advance:"

Loan or Advance, without Notice that such Factor or Agent was not authorized to make such Pledge or Security, every such Loan or Advance shall be deemed to be a Loan or Advance on the Security of such Goods or Document of Title within the Meaning of the last preceding Section, though such Goods or Document of Title shall not actually be received by the Person making such Loan or Advance till the Period subsequent thereto; and any Contract or Agreement, whether made direct with such Factor or Agent, or with any Clerk or other Person on his Behalf, shall be deemed a Contract or Agreement with such Factor or Agent; and any Payment made, whether by Money or Bill of Exchange or other negotiable Security, shall be deemed to be an Advance within the Meaning of the last preceding Section; and a Factor or Agent in possession as aforesaid of such Goods or Document shall be taken, for the Purposes of the last preceding Section, to have been intrusted therewith by the Owner thereof, unless the contrary be shown in Evidence.

"Contract or Agreement:"

"Advance."

Possession to be Evidence of intrusting.

Trustees, fraudulently disposing of Property, guilty of a Misdemeanor.

80. Whosoever, being a Trustee of any Property for the Use or Benefit, either wholly or partially, of some other Person, or for any public or charitable Purpose, shall, with Intent to defraud, convert or appropriate the same or any Part thereof to or for his own Use or Benefit, or the Use or Benefit of any Person other than such Person as aforesaid, or for any Purpose other than such public or charitable Purpose as aforesaid, or otherwise dispose of or destroy such Property or any Part thereof, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to any of the Punishments which the Court may award as herein-before last mentioned: Provided, that no Proceeding or Prosecution for any Offence included in this Section shall be commenced without the Sanction of Her Majesty's Attorney General, or, in case that Office be vacant, of Her Majesty's Solicitor General: Provided also, that where any Civil Proceeding shall have been taken against any Person to whom the Provisions of this Section may apply, no Person who shall have taken such Civil Proceeding shall commence any Prosecution under this Section without the Sanction of the Court or Judge before whom such Civil Proceeding shall have been had or shall be pending.

No Prosecution shall be commenced without the Sanction of some Judge or the Attorney General.

Directors, &c. of any Body Corporate or Public Company fraudulently appropriating Property;

81. Whosoever, being a Director, Member, or Public Officer of any Body Corporate or Public Company, shall fraudulently take or apply for his own Use or Benefit, or for any Use or Purposes other than the Use or Purposes of such Body Corporate or Public Company, any of the Property of such Body Corporate or Public Company, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to any of the Punishments which the Court may award as herein-before last mentioned.

or keeping fraudulent Accounts;

82. Whosoever, being a Director, Public Officer, or Manager of any Body Corporate or Public Company, shall as such receive or possess himself of any of the Property of such Body Corporate or Public Company otherwise than in Payment of a just Debt or Demand, and shall, with Intent to defraud, omit to make or to cause

cause or direct to be made a full and true Entry thereof in the Books and Accounts of such Body Corporate or Public Company, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to any of the Punishments which the Court may award as herein-before last mentioned.

or wilfully destroying Books, &c.;

83. Whosoever, being a Director, Manager, Public Officer, or Member of any Body Corporate or Public Company, shall, with Intent to defraud, destroy, alter, mutilate, or falsify any Book, Paper, Writing, or valuable Security belonging to the Body Corporate or Public Company, or make or concur in the making of any false Entry, or omit or concur in omitting any material Particular, in any Book of Account or other Document, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to any of the Punishments which the Court may award as herein-before last mentioned.

or publishing fraudulent Statements.

84. Whosoever, being a Director, Manager, or Public Officer of any Body Corporate or Public Company, shall make, circulate, or publish, or concur in making, circulating, or publishing, any written Statement or Account which he shall know to be false in any material Particular, with Intent to deceive or defraud any Member, Shareholder, or Creditor of such Body Corporate or Public Company, or with Intent to induce any Person to become a Shareholder or Partner therein, or to intrust or advance any Property to such Body Corporate or Public Company, or to enter into any Security for the Benefit thereof, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to any of the Punishments which the Court may award as herein-before last mentioned.

No Person to be exempt from answering Questions in any Court, but no Person making a Disclosure in any compulsory Proceeding to be liable to Prosecution.

85. Nothing in any of the last Ten preceding Sections of this Act contained shall enable or entitle any Person to refuse to make a full and complete Discovery by Answer to any Bill in Equity, or to answer any Question or Interrogatory in any Civil Proceeding in any Court, or upon the Hearing of any Matter in Bankruptcy or Insolvency; and no Person shall be liable to be convicted of any of the Misdemeanors in any of the said Sections mentioned by any Evidence whatever in respect of any Act done by him, if he shall at any Time previously to his being charged with such Offence have first disclosed such Act on Oath, in consequence of any compulsory Process of any Court of Law or Equity, in any Action, Suit, or Proceeding which shall have been *bonâ fide* instituted by any Party aggrieved, or if he shall have first disclosed the same in any compulsory Examination or Deposition before any Court upon the Hearing of any Matter in Bankruptcy or Insolvency.

No Remedy at Law or in Equity shall be affected.

86. Nothing in any of the last Eleven preceding Sections of this Act contained, nor any Proceeding, Conviction, or Judgment to be had or taken thereon against any Person under any of the said Sections, shall prevent, lessen, or impeach any Remedy at Law or in Equity which any Party aggrieved by any Offence against any of the said Sections might have had if this Act had not been passed; but no Conviction of any such Offender shall

Convictions shall not be received in Evidence in Civil Suits.

be received in Evidence in any Action at Law or Suit in Equity against him; and nothing in the said Sections contained shall affect or prejudice any Agreement entered into or Security given by any Trustee, having for its Object the Restoration or Repayment of any Trust Property misappropriated.

Certain Misdemeanors not triable at Sessions.

87. No Misdemeanor against any of the last Twelve preceding Sections of this Act shall be prosecuted or tried at any Court of General or Quarter Sessions of the Peace.

As to obtaining Money, &c. by false Pretences:

False Pretences.

88. Whosoever shall by any false Pretence obtain from any other Person any Chattel, Money, or valuable Security, with Intent to defraud, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement: Provided, that if upon the Trial of any Person indicted for such Misdemeanor it shall be proved that he obtained the Property in question in any such Manner as to amount in Law to Larceny, he shall not by reason thereof be entitled to be acquitted of such Misdemeanor; and no Person tried for such Misdemeanor shall be liable to be afterwards prosecuted for Larceny upon the same Facts: Provided also, that it shall be sufficient in any Indictment for obtaining or attempting to obtain any such Property by false Pretences to allege that the Party accused did the Act with Intent to defraud, without alleging an Intent to defraud any particular Person, and without alleging any Ownership of the Chattel, Money, or valuable Security; and on the Trial of any such Indictment it shall not be necessary to prove an Intent to defraud any particular Person, but it shall be sufficient to prove that the Party accused did the Act charged with an Intent to defraud.

No Acquittal because the Offence amounts to Larceny.

Form of Indictment and Evidence.

Where any Money or Thing is caused to be paid or delivered to any Person other than the Person making a false Pretence.

89. Whosoever shall by any false Pretence cause or procure any Money to be paid, or any Chattel, or valuable Security, to be delivered to any other Person, for the Use or Benefit or on account of the Person making such false Pretence, or of any other Person, with Intent to defraud, shall be deemed to have obtained such Money, Chattel, or valuable Security within the Meaning of the last preceding Section.

Inducing Persons by Fraud to execute Deeds and other Instruments.

90. Whosoever, with Intent to defraud or injure any other Person, shall by any false Pretence fraudulently cause or induce any other Person to execute, make, accept, endorse, or destroy the whole or any Part of any valuable Security, or to write, impress, or affix his Name, or the Name of any other Person, or of any Company, Firm, or Copartnership, or the Seal of any Body Corporate, Company, or Society, upon any Paper or Parchment, in order that the same may be afterwards made or converted into or used or dealt with as a valuable Security, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding

exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to receiving Stolen Goods:

Receiving, where the Principal is guilty of Felony.

91. Whosoever shall receive any Chattel, Money, valuable Security, or other Property whatsoever, the stealing, taking, extorting, obtaining, embezzling, or otherwise disposing whereof shall amount to a Felony, either at Common Law or by virtue of this Act, knowing the same to have been feloniously stolen, taken, extorted, obtained, embezzled, or disposed of, shall be guilty of Felony, and may be indicted and convicted either as an Accessory after the Fact or for a substantive Felony, and in the latter Case, whether the principal Felon shall or shall not have been previously convicted, or shall or shall not be amenable to Justice; and every such Receiver, howsoever convicted, shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping: Provided, that no Person, howsoever tried for receiving as aforesaid, shall be liable to be prosecuted a Second Time for the same Offence.

Indictment for stealing and receiving.

92. In any Indictment containing a Charge of feloniously stealing any Property it shall be lawful to add a Count or several Counts for feloniously receiving the same or any Part or Parts thereof, knowing the same to have been stolen, and in any Indictment for feloniously receiving any Property knowing it to have been stolen it shall be lawful to add a Count for feloniously stealing the same; and where any such Indictment shall have been preferred and found against any Person, the Prosecutor shall not be put to his Election, but it shall be lawful for the Jury who shall try the same to find a Verdict of Guilty, either of stealing the Property, or of receiving the same, or any Part or Parts thereof, knowing the same to have been stolen; and if such Indictment shall have been preferred and found against Two or more Persons it shall be lawful for the Jury who shall try the same to find all or any of the said Persons guilty either of stealing the Property or of receiving the same, or any Part or Parts thereof, knowing the same to have been stolen, or to find One or more of the said Persons guilty of stealing the Property, and the other or others of them guilty of receiving the same, or any Part or Parts thereof, knowing the same to have been stolen.

Separate Receivers may be included in the same Indictment in the Absence of the Principal.

93. Whenever any Property whatsoever shall have been stolen, taken, extorted, obtained, embezzled, or otherwise disposed of in such a Manner as to amount to a Felony, either at Common Law or by virtue of this Act, any Number of Receivers at different Times of such Property, or of any Part or Parts thereof, may be charged with substantive Felonies in the same Indictment, and may be tried together, notwithstanding that the principal Felon shall not be included in the same Indictment, or shall not be in Custody or amenable to Justice.

94. If

As to Convictions on an Indictment for jointly receiving.

94. If upon the Trial of any Two or more Persons indicted for jointly receiving any Property it shall be proved that One or more of such Persons separately received any Part or Parts of such Property, it shall be lawful for the Jury to convict, upon such Indictment, such of the said Persons as shall be proved to have received any Part or Parts of such Property.

Receiving, where the Principal has been guilty of a Misdemeanor.

95. Whosoever shall receive any Chattel, Money, valuable Security, or other Property whatsoever, the stealing, taking, obtaining, converting, or disposing whereof is made a Misdemeanor by this Act, knowing the same to have been unlawfully stolen, taken, obtained, converted, or disposed of, shall be guilty of a Misdemeanor, and may be indicted and convicted thereof, whether the Person guilty of the principal Misdemeanor shall or shall not have been previously convicted thereof, or shall or shall not be amenable to Justice; and every such Receiver, being convicted thereof, shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Receiver, where triable.

96. Whosoever shall receive any Chattel, Money, valuable Security, or other Property whatsoever, knowing the same to have been feloniously or unlawfully stolen, taken, obtained, converted, or disposed of, may, whether charged as an Accessory after the Fact to the Felony, or with a substantive Felony, or with a Misdemeanor only, be dealt with, indicted, tried, and punished in any County or Place in which he shall have or shall have had any such Property in his Possession, or in any County or Place in which the Party guilty of the principal Felony or Misdemeanor may by Law be tried, in the same Manner as such Receiver may be dealt with, indicted, tried, and punished in the County or Place where he actually received such Property.

Receivers of Property, where the original Offence is punishable on Summary Conviction.

97. Where the stealing or taking of any Property whatsoever is by this Act punishable on Summary Conviction, either for every Offence, or for the First and Second Offence only, or for the First Offence only, any Person who shall receive any such Property, knowing the same to be unlawfully come by, shall, on Conviction thereof before a Justice of the Peace, be liable, for every First, Second, or subsequent Offence of receiving, to the same Forfeiture and Punishment to which a Person guilty of a First, Second, or subsequent Offence of stealing or taking such Property is by this Act made liable.

Principals in the Second Degree and Accessories.

98. In case of every Felony punishable under this Act every Principal in the Second Degree, and every Accessory before the Fact, shall be punishable in the same Manner as the Principal in the First Degree is by this Act punishable; and every Accessory after the Fact to any Felony punishable under this Act (except only a Receiver of stolen Property) shall, on Conviction, be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with

with or without Solitary Confinement; and every Person who shall aid, abet, counsel, or procure the Commission of any Misdemeanor punishable under this Act shall be liable to be indicted and punished as a principal Offender. Abettors in Misdemeanors.

99. Whosoever shall aid, abet, counsel, or procure the Commission of any Offence which is by this Act punishable on Summary Conviction, either for every Time of its Commission, or for the First and Second Time only, or for the First Time only, shall, on Conviction before a Justice of the Peace, be liable, for every First, Second, or subsequent Offence of aiding, abetting, counselling, or procuring, to the same Forfeiture and Punishment to which a Person guilty of a First, Second, or subsequent Offence as a principal Offender is by this Act made liable. Abettors in Offences punishable on Summary Conviction.

As to Restitution and Recovery of stolen Property:

100. If any Person guilty of any such Felony or Misdemeanor as is mentioned in this Act, in stealing, taking, obtaining, extorting, embezzling, converting, or disposing of, or in knowingly receiving, any Chattel, Money, valuable Security, or other Property whatsoever, shall be indicted for such Offence, by or on the Behalf of the Owner of the Property, or his Executor or Administrator, and convicted thereof, in such Case the Property shall be restored to the Owner or his Representative; and in every Case in this Section aforesaid the Court before whom any Person shall be tried for any such Felony or Misdemeanor shall have Power to award from Time to Time Writs of Restitution for the said Property, or to order the Restitution thereof in a summary Manner: Provided, that if it shall appear before any Award or Order made that any valuable Security shall have been *bonâ fide* paid or discharged by some Person or Body Corporate liable to the Payment thereof, or being a negotiable Instrument shall have been *bonâ fide* taken or received by Transfer or Delivery, by some Person or Body Corporate, for a just and valuable Consideration, without any Notice or without any reasonable Cause to suspect that the same had by any Felony or Misdemeanor been stolen, taken, obtained, extorted, embezzled, converted, or disposed of, in such Case the Court shall not award or order the Restitution of such Security: Provided also, that nothing in this Section contained shall apply to the Case of any Prosecution of any Trustee, Banker, Merchant, Attorney, Factor, Broker, or other Agent intrusted with the Possession of Goods or Documents of Title to Goods for any Misdemeanor against this Act. The Owner of stolen Property prosecuting Thief or Receiver to Conviction shall have Restitution of his Property. Provision as to valuable and negotiable Securities. Not to apply to Prosecutions of Trustees, Bankers, &c.

101. Whosoever shall corruptly take any Money or Reward, directly or indirectly, under pretence or upon account of helping any Person to any Chattel, Money, valuable Security, or other Property whatsoever which shall by any Felony or Misdemeanor have been stolen, taken, obtained, extorted, embezzled, converted, or disposed of, as in this Act before mentioned, shall (unless he shall have used all due Diligence to cause the Offender to be brought to Trial for the same) be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Taking a Reward for helping to the Recovery of stolen Property without bringing the Offender to Trial.

Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Eighteen Years, with or without Whipping.

Advertising a Reward for the Return of Stolen Property, &c.

102. Whosoever shall publicly advertise a Reward for the Return of any Property whatsoever which shall have been stolen or lost, and shall in such Advertisement use any Words purporting that no Questions will be asked, or shall make use of any Words in any public Advertisement purporting that a Reward will be given or paid for any Property which shall have been stolen or lost, without seizing or making any Inquiry after the Person producing such Property, or shall promise or offer in any such public Advertisement to return to any Pawnbroker or other Person who may have bought or advanced Money by way of Loan upon any Property stolen or lost the Money so paid or advanced, or any other Sum of Money or Reward for the Return of such Property, or shall print or publish any such Advertisement, shall forfeit the Sum of Fifty Pounds for every such Offence to any Person who will sue for the same by Action of Debt, to be recovered, with full Costs of Suit.

As to Apprehension of Offenders, and other Proceedings:

Apprehension without a Warrant.

103. Any Person found committing any Offence punishable, either upon Indictment or upon Summary Conviction, by virtue of this Act, except only the Offence of Angling in the Daytime, may be immediately apprehended without a Warrant by any Person, and forthwith taken, together with such Property, if any, before some neighbouring Justice of the Peace, to be dealt with according to Law; and if any credible Witness shall prove upon Oath before a Justice of the Peace a reasonable Cause to suspect that any Person has in his Possession or on his Premises any Property whatsoever on or with respect to which any Offence, punishable either upon Indictment or upon Summary Conviction by virtue of this Act, shall have been committed, the Justice may grant a Warrant to search for such Property as in the Case of stolen Goods; and any Person to whom any Property shall be offered to be sold, pawned, or delivered, if he shall have reasonable Cause to suspect that any such Offence has been committed on or with respect to such Property, is hereby authorized, and, if in his Power, is required to apprehend and forthwith to take before a Justice of the Peace the Party offering the same, together with such Property, to be dealt with according to Law.

Justice may grant a Search Warrant.

Person to whom stolen Property is offered may seize Party offering it.

Person loitering at Night, &c. may be apprehended.

104. Any Constable or Peace Officer may take into Custody, without Warrant, any Person whom he shall find lying or loitering in any Highway, Yard, or other Place, during the Night, and whom he shall have good Cause to suspect of having committed, or being about to commit, any Felony against this Act, and shall take such Person, as soon as reasonably may be, before a Justice of the Peace, to be dealt with according to Law.

Mode of compelling the Appearance of

105. Where any Person shall be charged on the Oath of a credible Witness before any Justice of the Peace with any Offence punishable on Summary Conviction under this Act, the Justice

may

may summon the Person charged to appear at a Time and Place to be named in such Summons, and if he shall not appear accordingly, then (upon Proof of the due Service of the Summons upon such Person, by delivering the same to him personally, or by leaving the same at his usual Place of Abode,) the Justice may either proceed to hear and determine the Case *ex parte*, or issue his Warrant for apprehending such Person, and bringing him before himself or some other Justice of the Peace; or the Justice before whom the Charge shall be made may (if he shall so think fit), without any previous Summons (unless where otherwise specially directed), issue such Warrant, and the Justice before whom the Person charged shall appear or be brought shall proceed to hear and determine the Case.

Persons punishable on Summary Conviction.

106. Every Sum of Money which shall be forfeited on any Summary Conviction for the Value of any Property stolen or taken, or for the Amount of any Injury done (such Value or Amount to be assessed in each Case by the convicting Justice), shall be paid to the Party aggrieved, except where he is unknown, and in that Case such Sum shall be applied in the same Manner as a Penalty; and every Sum which shall be imposed as a Penalty by any Justice of the Peace, whether in addition to such Value or Amount or otherwise, shall be paid and applied in the same Manner as other Penalties recoverable before Justices of the Peace are to be paid and applied in Cases where the Statute imposing the same contains no Direction for the Payment thereof to any Person: Provided, that where several Persons shall join in the Commission of the same Offence, and shall, upon Conviction thereof, each be adjudged to forfeit a Sum equivalent to the Value of the Property or to the Amount of the Injury, in every such Case no further Sum shall be paid to the Party aggrieved than such Value or Amount; and the remaining Sum or Sums forfeited shall be applied in the same Manner as any Penalty imposed by a Justice of the Peace is herein-before directed to be applied.

Application of Forfeitures and Penalties on Summary Convictions.

Proviso where several Persons join in Commission of same Offence.

107. In every Case of a Summary Conviction under this Act, where the Sum which shall be forfeited for the Value of the Property stolen or taken, or for the Amount of the Injury done, or which shall be imposed as a Penalty by the Justice, shall not be paid, either immediately after the Conviction, or within such Period as the Justice shall at the Time of the Conviction appoint, the convicting Justice (unless where otherwise specially directed) may commit the Offender to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, according to the Discretion of the Justice, for any Term not exceeding Two Months, where the Amount of the Sum forfeited or of the Penalty imposed, or of both, (as the Case may be,) together with the Costs, shall not exceed Five Pounds, and for any Term not exceeding Four Months where the Amount, with Costs, shall not exceed Ten Pounds, and for any Term not exceeding Six Months in any other Case, the Commitment to be determinable in each of the Cases aforesaid upon Payment of the Amount and Costs.

If a Person summarily convicted shall not pay, &c., the Justice may commit him.

Scale of Imprisonment.

108. Where

Justice may discharge the Offender in certain Cases.

108. Where any Person shall be summarily convicted before a Justice of the Peace of any Offence against this Act, and it shall be a First Conviction, the Justice may, if he shall so think fit, discharge the Offender from his Conviction, upon his making such Satisfaction to the Party aggrieved for Damages and Costs, or either of them, as shall be ascertained by the Justice.

A Summary Conviction shall be a Bar to any other Proceeding for the same Cause.

109. In case any Person convicted of any Offence punishable upon Summary Conviction by virtue of this Act shall have paid the Sum adjudged to be paid, together with Costs, under such Conviction, or shall have received a Remission thereof from the Crown, or from the Lord Lieutenant or other Chief Governor in *Ireland*, or shall have suffered the Imprisonment awarded for Nonpayment thereof, or the Imprisonment adjudged in the first instance, or shall have been so discharged from his Conviction by any Justice as aforesaid, in every such Case he shall be released from all further or other Proceedings for the same Cause.

Appeal.

110. In all Cases where the Sum adjudged to be paid on any Summary Conviction shall exceed Five Pounds, or the Imprisonment adjudged shall exceed One Month, or the Conviction shall take place before One Justice only, any Person who shall think himself aggrieved by any such Conviction may appeal to the next Court of General or Quarter Sessions which shall be holden not less than Twelve Days after the Day of such Conviction for the County or Place wherein the Cause of Complaint shall have arisen; provided, that such Person shall give to the Complainant a Notice in Writing of such Appeal, and of the Cause and Matter thereof, within Three Days after such Conviction, and Seven clear Days at the least before such Sessions, and shall also either remain in Custody until the Sessions, or shall enter into a Recognizance, with Two sufficient Sureties, before a Justice of the Peace, conditioned personally to appear at the said Sessions and to try such Appeal, and to abide the Judgment of the Court thereupon, and to pay such Costs as shall be by the Court awarded; or if such Appeal shall be against any Conviction, whereby only a Penalty or other Sum of Money shall be adjudged to be paid, shall deposit with the Clerk of the convicting Justice such a Sum of Money as such Justice shall deem to be sufficient to cover the Sum so adjudged to be paid, together with the Costs of the Conviction and the Costs of the Appeal; and upon such Notice being given, and such Recognizance being entered into, or such Deposit being made, the Justice before whom such Recognizance shall be entered into, or such Deposit shall be made, shall liberate such Person if in Custody; and the Court at such Sessions shall hear and determine the Matter of the Appeal, and shall make such Order therein, with or without Costs to either Party, as to the Court shall seem meet, and in case of the Dismissal of the Appeal or the Affirmance of the Conviction shall order and adjudge the Offender to be punished according to the Conviction, and to pay such Costs as shall be awarded, and shall, if necessary, issue Process for enforcing such Judgment; and in any Case where after any such Deposit shall have been made as aforesaid the Conviction shall be affirmed, the Court may order the Sum thereby

thereby adjudged to be paid, together with the Costs of the Conviction and the Costs of the Appeal, to be paid out of the Money deposited, and the Residue thereof, if any, to be repaid to the Party convicted; and in any Case where after any such Deposit the Conviction shall be quashed, the Court shall order the Money deposited to be repaid to the Party convicted; and in every Case where any Conviction shall be quashed on Appeal as aforesaid the Clerk of the Peace, or other proper Officer, shall forthwith endorse on the Conviction a Memorandum that the same has been so quashed; and whenever any Copy or Certificate of such Conviction shall be made, a Copy of such Memorandum shall be added thereto, and shall be sufficient Evidence that the Conviction has been quashed in every Case where such Copy or Certificate would be sufficient Evidence of such Conviction.

No Certiorari, &c.

111. No such Conviction, or Adjudication made on Appeal therefrom, shall be quashed for Want of Form, or be removed by Certiorari into any of Her Majesty's Superior Courts of Record; and no Warrant of Commitment shall be held void by reason of any Defect therein, provided it be therein alleged that the Party has been convicted, and there be a good and valid Conviction to sustain the same.

Convictions to be returned to the Quarter Sessions.

112. Every Justice of the Peace before whom any Person shall be convicted of any Offence against this Act shall transmit the Conviction to the next Court of General or Quarter Sessions which shall be holden for the County or Place wherein the Offence shall have been committed, there to be kept by the proper Officer among the Records of the Court; and upon any Information against any Person for a subsequent Offence, a Copy of such Conviction, certified by the proper Officer of the Court, or proved to be a true Copy, shall be sufficient Evidence to prove a Conviction for the former Offence, and the Conviction shall be presumed to have been unappealed against until the contrary be shown.

Venue, in Proceedings against Persons acting under this Act.

Notice of Action.

113. All Actions and Prosecutions to be commenced against any Person for anything done in pursuance of this Act shall be laid and tried in the County where the Fact was committed, and shall be commenced within Six Months after the Fact committed, and not otherwise; and Notice in Writing of such Action and of the Cause thereof shall be given to the Defendant One Month at least before the Commencement of the Action; and in any such Action the Defendant may plead the General Issue, and give this Act and the special Matter in Evidence, at any Trial to be had thereupon; and no Plaintiff shall recover in any such Action if Tender of sufficient Amends shall have been made before such Action brought, or if a sufficient Sum of Money shall have been paid into Court after such Action brought, by or on behalf of the Defendant; and if a Verdict shall pass for the Defendant, or the Plaintiff shall become nonsuit, or discontinue any such Action after Issue joined, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff, the Defendant shall recover his full Costs as between Attorney and Client, and have the like Remedy for the same as any Defendant has by Law in other Cases;

General Issue, &c.

Cases; and though a Verdict shall be given for the Plaintiff in any such Action, such Plaintiff shall not have Costs against the Defendant unless the Judge before whom the Trial shall be shall certify his Approbation of the Action.

As to other Matters:

Stealers of Property in one Part of the Kingdom, &c. may be tried and punished in that Part where they have the Property.

114. If any Person shall have in his Possession in any one Part of the United Kingdom any Chattel, Money, valuable Security, or other Property whatsoever, which he shall have stolen or otherwise feloniously taken in any other Part of the United Kingdom, he may be dealt with, indicted, tried, and punished for Larceny or Theft in that Part of the United Kingdom where he shall so have such Property, in the same Manner as if he had actually stolen or taken it in that Part; and if any Person in any one Part of the United Kingdom shall receive or have any Chattel, Money, valuable Security, or other Property whatsoever which shall have been stolen or otherwise feloniously taken in any other Part of the United Kingdom, such Person knowing such Property to have been stolen or otherwise feloniously taken, he may be dealt with, indicted, tried, and punished for such Offence in that Part of the United Kingdom where he shall so receive or have such Property, in the same Manner as if it had been originally stolen or taken in that Part.

Offences committed within the Jurisdiction of the Admiralty.

115. All indictable Offences mentioned in this Act which shall be committed within the Jurisdiction of the Admiralty of *England* or *Ireland* shall be deemed to be Offences of the same Nature, and liable to the same Punishments, as if they had been committed upon the Land in *England* or *Ireland*, and may be dealt with, inquired of, tried, and determined in any County or Place in which the Offender shall be apprehended or be in Custody; and in any Indictment for any such Offence or for being an Accessory to any such Offence the Venue in the Margin shall be the same as if the Offence had been committed in such County or Place, and the Offence itself shall be averred to have been committed "on the High Seas;" provided, that nothing herein contained shall alter or affect any of the Laws relating to the Government of Her Majesty's Land or Naval Forces.

Form of Indictment for a subsequent Offence.

116. In any Indictment for any Offence punishable under this Act, and committed after a previous Conviction or Convictions for any Felony, Misdemeanor, or Offence or Offences punishable upon Summary Conviction, it shall be sufficient, after charging the subsequent Offence, to state that the Offender was at a certain Time and Place or at certain Times and Places convicted of Felony, or of an indictable Misdemeanor, or of an Offence or Offences punishable upon Summary Conviction, (as the Case may be,) without otherwise describing the previous Felony, Misdemeanor, Offence or Offences; and a Certificate containing the Substance and Effect only (omitting the formal Part) of the Indictment and Conviction for the previous Felony or Misdemeanor, or a Copy of any such Summary Conviction, purporting to be signed by the Clerk of the Court or other Officer having the Custody of the Records of the Court where the Offender was first convicted, or to which such Summary Conviction shall have been

been returned, or by the Deputy of such Clerk or Officer, (for which Certificate or Copy a Fee of Five Shillings and no more shall be demanded or taken,) shall, upon Proof of the Identity of the Person of the Offender, be sufficient Evidence of such Conviction, without Proof of the Signature or official Character of the Person appearing to have signed the same; and the Proceedings upon any Indictment for committing any Offence after a previous Conviction or Convictions shall be as follows; (that is to say,) the Offender shall, in the first instance, be arraigned upon so much only of the Indictment as charges the subsequent Offence, and if he plead Not Guilty, or if the Court order a Plea of Not Guilty to be entered on his Behalf, the Jury shall be charged, in the first instance, to inquire concerning such subsequent Offence only; and if they find him Guilty, or if on Arraignment he plead Guilty, he shall then, and not before, be asked whether he had been previously convicted as alleged in the Indictment, and if he answer that he had been so previously convicted the Court may proceed to sentence him accordingly, but if he deny that he had been so previously convicted, or stand mute of Malice, or will not answer directly to such Question, the Jury shall then be charged to inquire concerning such previous Conviction or Convictions, and in such Case it shall not be necessary to swear the Jury again, but the Oath already taken by them shall for all Purposes be deemed to extend to such last-mentioned Inquiry: Provided, that if upon the Trial of any Person for any such subsequent Offence such Person shall give Evidence of his good Character, it shall be lawful for the Prosecutor, in answer thereto, to give Evidence of the Conviction of such Person for the previous Offence or Offences before such Verdict of Guilty shall be returned, and the Jury shall inquire concerning such previous Conviction or Convictions at the same Time that they inquire concerning such subsequent Offence.

When the previous Conviction is to be proved on the Trial.

117. Whenever any Person shall be convicted of any indictable Misdemeanor punishable under this Act, the Court may, if it shall think fit, in addition to or in lieu of any of the Punishments by this Act authorized, fine the Offender, and require him to enter into his own Recognizances and to find Sureties, both or either, for keeping the Peace and being of good Behaviour; and in case of any Felony punishable under this Act the Court may, if it shall think fit, require the Offender to enter into his own Recognizances, and to find Sureties, both or either, for keeping the Peace, in addition to any Punishment by this Act authorized: Provided that no Person shall be imprisoned under this Clause for not finding Sureties for any Period exceeding One Year.

Fine, and Sureties for keeping the Peace, in what Cases.

118. Whenever Imprisonment, with or without Hard Labour, may be awarded for any indictable Offence under this Act, the Court may sentence the Offender to be imprisoned, or to be imprisoned and kept to Hard Labour, in the Common Gaol or House of Correction.

Hard Labour.

119. Whenever Solitary Confinement may be awarded for any indictable Offence under this Act, the Court may direct the Offender

Solitary Confinement, and Whipping.

fender to be kept in Solitary Confinement for any Portion or Portions of his Imprisonment, or of his Imprisonment with Hard Labour, not exceeding One Month at any One Time, and not exceeding Three Months in any One Year; and whenever Whipping may be awarded for any indictable Offence under this Act, the Court may sentence the Offender to be once privately whipped, and the Number of Strokes and the Instrument with which they shall be inflicted shall be specified by the Court in the Sentence.

Summary Proceedings in England may be under the 11 & 12 Vict. c. 43., and in Ireland under 14 & 15 Vict. c. 93.;

120. Every Offence hereby made punishable on Summary Conviction may be prosecuted in *England* in the Manner directed by the Act of the Session holden in the Eleventh and Twelfth Years of Queen *Victoria*, Chapter Forty-three, so far as no Provision is hereby made for any Matter or Thing which may be required to be done in the course of such Prosecution, and may be prosecuted in *Ireland* before Two or more Justices of the Peace, or One Metropolitan or Stipendiary Magistrate, in the Manner directed by the Act of the Session holden in the Fourteenth and Fifteenth Years of Queen *Victoria*, Chapter Ninety-three, or in such other Manner as may be directed by any Act that may be passed for like Purposes; and all Provisions contained in the said Acts shall be applicable to such Prosecutions in the same Manner as if they were incorporated in this Act: Provided, that nothing in this Act contained shall in any Manner alter or affect any Enactment relating to Procedure in the Case of any Offence punishable on summary Conviction within the City of *London* or the Metropolitan Police District, or the Recovery or Application of any Penalty or Forfeiture for any such Offence.

except in London and the Metropolitan Police District.

Costs of Prosecution of Misdemeanors may be allowed.

121. The Court before which any indictable Misdemeanor against this Act shall be prosecuted or tried may allow the Costs of the Prosecution in the same Manner as in Cases of Felony; and every Order for the Payment of such Costs shall be made out, and the Sum of Money mentioned therein paid and repaid, upon the same Terms and in the same Manner in all respects as in Cases of Felony.

Extent of Act.

122. Nothing in this Act contained shall extend to *Scotland*, except as herein-before otherwise expressly provided.

Commencement of Act.

123. This Act shall commence and take effect on the First Day of *November* One thousand eight hundred and sixty-one.

CAP. XCVII.

An Act to consolidate and amend the Statute Law of *England* and *Ireland* relating to Malicious Injuries to Property. [6th *August* 1861.]

'WHEREAS it is expedient to consolidate and amend the Statute Law of *England* and *Ireland* relating to Malicious Injuries to Property:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Injuries

Injuries by Fire to Buildings, and Goods therein.

Setting fire to a Church or Chapel.

1. Whosoever shall unlawfully and maliciously set fire to any Church, Chapel, Meeting House, or other Place of Divine Worship, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Setting fire to a Dwelling House, any Person being therein.

2. Whosoever shall unlawfully and maliciously set fire to any Dwelling House, any Person being therein, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Setting fire to a House, Outhouse, Manufactory, Farm Building, &c.

3. Whosoever shall unlawfully and maliciously set fire to any House, Stable, Coach-house, Outhouse, Warehouse, Office, Shop, Mill, Malthouse, Hop-oast, Barn, Storehouse, Granary, Hovel, Shed, or Fold, or to any Farm Building, or to any Building or Erection used in farming Land, or in carrying on any Trade or Manufacture or any Branch thereof, whether the same shall then be in the Possession of the Offender or in the Possession of any other Person, with Intent thereby to injure or defraud any Person, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Setting fire to any Railway Station.

4. Whosoever shall unlawfully and maliciously set fire to any Station, Engine House, Warehouse, or other Building belonging or appertaining to any Railway, Port, Dock, or Harbour, or to any Canal or other Navigation, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Setting fire to any Public Building.

5. Whosoever shall unlawfully and maliciously set fire to any Building other than such as are in this Act before mentioned, belonging to the Queen, or to any County, Riding, Division, City, Borough, Poor Law Union, Parish, or Place, or belonging to any University, or College or Hall of any University, or to any Inn of Court, or devoted or dedicated to Public Use or Ornament, or erected or maintained by Public Subscription or Contribution, shall be guilty of Felony, and being convicted thereof shall be

liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Setting fire to other Buildings.

6. Whosoever shall unlawfully and maliciously set fire to any Building other than such as are in this Act before mentioned shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Setting fire to Goods in any Building the setting fire to which is Felony.

7. Whosoever shall unlawfully and maliciously set fire to any Matter or Thing, being in, against, or under any Building, under such Circumstances that if the Building were thereby set fire to the Offence would amount to Felony, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Attempting to set fire to Buildings.

8. Whosoever shall unlawfully and maliciously by any overt Act attempt to set fire to any Building, or any Matter or Thing in the last preceding Section mentioned, under such Circumstances that if the same were thereby set fire to the Offender would be guilty of Felony, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Injuries by explosive Substances to Buildings and Goods therein.

Destroying, &c. a House with Gunpowder, any Person being therein.

9. Whosoever shall unlawfully and maliciously, by the Explosion of Gunpowder or other explosive Substance, destroy, throw down, or damage the whole or any Part of any Dwelling House, any Person being therein, or of any Building whereby the Life of any Person shall be endangered, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Attempting to destroy Buildings with Gunpowder.

10. Whosoever shall unlawfully and maliciously place or throw in, into, upon, under, against, or near any Building any Gunpowder or other explosive Substance, with Intent to destroy or damage any Building, or any Engine, Machinery, Working Tools, Fixtures,

tures, Goods, or Chattels, shall, whether or not any Explosion take place, and whether or not any Damage be caused, be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Injuries to Buildings by Rioters, &c.

Rioters demolishing Church, Building, &c.

11. If any Persons riotously and tumultuously assembled together to the Disturbance of the Public Peace shall unlawfully and with Force demolish, or pull down or destroy, or begin to demolish, pull down, or destroy, any Church, Chapel, Meeting House, or other Place of Divine Worship, or any House, Stable, Coach-house, Outhouse, Warehouse, Office, Shop, Mill, Malthouse, Hop-oast, Barn, Granary, Shed, Hovel, or Fold, or any Building or Erection used in farming Land, or in carrying on any Trade or Manufacture or any Branch thereof, or any Building other than such as are in this Section before mentioned, belonging to the Queen, or to any County, Riding, Division, City, Borough, Poor Law Union, Parish, or Place, or belonging to any University, or College or Hall of any University, or to any Inn of Court, or devoted or dedicated to Public Use or Ornament, or erected or maintained by Public Subscription or Contribution, or any Machinery, whether fixed or moveable, prepared for or employed in any Manufacture or in any Branch thereof, or any Steam Engine or other Engine for sinking, working, ventilating, or draining any Mine, or any Staith, Building, or Erection used in conducting the Business of any Mine, or any Bridge, Waggonway, or Trunk for conveying Minerals from any Mine, every such Offender shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Rioters injuring Building, Machinery, &c.

12. If any Persons, riotously and tumultuously assembled together to the Disturbance of the Public Peace, shall unlawfully and with Force injure or damage any such Church, Chapel, Meeting House, Place of Divine Worship, House, Stable, Coach-house, Outhouse, Warehouse, Office, Shop, Mill, Malthouse, Hop-oast, Barn, Granary, Shed, Hovel, Fold, Building, Erection, Machinery, Engine, Staith, Bridge, Waggonway, or Trunk, as is in the last preceding Section mentioned, every such Offender shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour: Provided that if upon the Trial of any Person for any Felony in the last

preceding Section mentioned the Jury shall not be satisfied that such Person is guilty thereof, but shall be satisfied that he is guilty of any Offence in this Section mentioned, then the Jury may find him guilty thereof, and he may be punished accordingly.

Injuries to Buildings by Tenants.

Tenants of Houses, &c. maliciously injuring them.

13. Whosoever, being possessed of any Dwelling House or other Building, or Part of any Dwelling House or other Building, held for any Term of Years or other less Term, or at Will, or held over after the Termination of any Tenancy, shall unlawfully and maliciously pull down or demolish, or begin to pull down or demolish, the same or any Part thereof, or shall unlawfully and maliciously pull down or sever from the Freehold any Fixture being fixed in or to such Dwelling House or Building, or Part of such Dwelling House or Building, shall be guilty of a Misdemeanor.

Injuries to Manufactures, Machinery, &c.

Destroying Goods in Process of Manufacture, certain Machinery, &c.

14. Whosoever shall unlawfully and maliciously cut, break, or destroy, or damage with Intent to destroy or to render useless, any Goods or Article of Silk, Woollen, Linen, Cotton, Hair, Mohair, or Alpaca, or of any One or more of those Materials mixed with each other or mixed with any other Material, or any Framework-knitted Piece, Stocking, Hose, or Lace, being in the Loom or Frame, or on any Machine or Engine, or on the Rack or Tenters, or in any Stage, Process, or Progress of Manufacture, or shall unlawfully and maliciously cut, break, or destroy, or damage with Intent to destroy or to render useless, any Warp or Shute of Silk, Woollen, Linen, Cotton, Hair, Mohair, or Alpaca, or of any One or more of those Materials mixed with each other or mixed with any other Material, or shall unlawfully and maliciously cut, break, or destroy, or damage with Intent to destroy or render useless, any Loom, Frame, Machine, Engine, Rack, Tackle, Tool, or Implement, whether fixed or moveable, prepared for or employed in carding, spinning, throwing, weaving, fulling, shearing, or otherwise manufacturing or preparing any such Goods or Articles, or shall by Force enter into any House, Shop, Building, or Place, with Intent to commit any of the Offences in this Section mentioned, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Destroying Machines in other Manufactures, Threshing Machines, &c.

15. Whosoever shall unlawfully and maliciously cut, break, or destroy, or damage, with Intent to destroy or to render useless, any Machine or Engine, whether fixed or moveable, used or intended to be used for sowing, reaping, mowing, thrashing, ploughing, or draining, or for performing any other Agricultural Operation, or any Machine or Engine, or any Tool or Implement, whether fixed or moveable, prepared for or employed

in

in any Manufacture whatsoever (except the Manufacture of Silk, Woollen, Linen, Cotton, Hair, Mohair, or Alpaca Goods, or Goods of any One or more of those Materials mixed with each other or mixed with any other Material, or any Framework-knitted Piece, Stocking, Hose, or Lace), shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Injuries to Corn, Trees, and vegetable Productions.

Setting fire to Crops of Corn, &c.

16. Whosoever shall unlawfully and maliciously set fire to any Crop of Hay, Grass, Corn, Grain, or Pulse, or of any cultivated vegetable Produce, whether standing or cut down, or to any Part of any Wood, Coppice, or Plantation of Trees, or to any Heath, Gorse, Furze, or Fern, wheresoever the same may be growing, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Setting fire to Stacks of Corn, &c.

17. Whosoever shall unlawfully and maliciously set fire to any Stack of Corn, Grain, Pulse, Tares, Hay, Straw, Haulm, Stubble, or of any cultivated vegetable Produce, or of Furze, Gorse, Heath, Fern, Turf, Peat, Coals, Charcoal, Wood, or Bark, or to any Steer of Wood or Bark, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Attempting to set fire to any Crops of Corn, &c. or to any Stack or Steer.

18. Whosoever shall unlawfully and maliciously by any overt Act attempt to set fire to any such Matter or Thing as in either of the last Two preceding Sections mentioned, under such Circumstances that if the same were thereby set fire to the Offender would be, under either of such Sections, guilty of Felony, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Destroying Hopbinds.

19. Whosoever shall unlawfully and maliciously cut or otherwise destroy any Hopbinds growing on Poles in any Plantation of Hops shall be guilty of Felony, and being convicted thereof

shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Destroying, &c. Trees, &c. worth more than 1*l.* growing in a Pleasure Ground, &c.

20. Whosoever shall unlawfully and maliciously cut, break, bark, root up, or otherwise destroy or damage the whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, growing in any Park, Pleasure Ground, Garden, Orchard, or Avenue, or in any Ground adjoining or belonging to any Dwelling House, (in case the Amount of the Injury done shall exceed the Sum of One Pound,) shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Destroying, &c. Shrubs, &c. worth more than 5*l.* growing elsewhere than in a Pleasure Ground, &c.

21. Whosoever shall unlawfully and maliciously cut, break, bark, root up, or otherwise destroy or damage the whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, growing elsewhere than in any Park, Pleasure Ground, Garden, Orchard, or Avenue, or in any Ground adjoining to or belonging to any Dwelling House, (in case the Amount of Injury done shall exceed the Sum of Five Pounds,) shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Damaging Trees, wheresoever growing, to the Amount of 1*s.*

22. Whosoever shall unlawfully and maliciously cut, break, bark, root up, or otherwise destroy or damage the whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, wheresoever the same may be growing, the Injury done being to the Amount of One Shilling at the least, shall, on Conviction thereof before a Justice of the Peace, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for any Term not exceeding Three Months, or else shall forfeit and pay, over and above the Amount of the Injury done, such Sum of Money, not exceeding Five Pounds, as to the Justice shall seem meet; and whosoever having been convicted of any such Offence, either against this or any former Act of Parliament, shall afterwards commit any of the said Offences in this Section before mentioned, and shall be convicted thereof in like Manner, shall for such Second Offence be committed to the Common Gaol or House of Correction, there to be kept to Hard Labour for such Term, not exceeding Twelve Months, as the convicting Justice shall think fit; and whosoever having been twice convicted of any such Offence (whether both

Second Offence.

Third Offence.

or

or either of such Convictions shall have taken place before or after the passing of this Act), shall afterwards commit any of the said Offences in this Section before mentioned, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Destroying any Fruit or vegetable Production in a Garden.

23. Whosoever shall unlawfully and maliciously destroy, or damage with Intent to destroy, any Plant, Root, Fruit, or vegetable Production, growing in any Garden, Orchard, Nursery Ground, Hothouse, Greenhouse, or Conservatory, shall, on Conviction thereof before a Justice of the Peace, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for any Term not exceeding Six Months, or else shall forfeit and pay, over and above the Amount of the Injury done, such Sum of Money not exceeding Twenty Pounds as to the Justice shall seem meet; and whosoever, having been convicted of any such Offence, either against this or any former Act of Parliament, shall afterwards commit any of the said Offences in this Section before mentioned, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Second Offence.

Destroying, &c. vegetable Productions not growing in Gardens, &c.

24. Whosoever shall unlawfully and maliciously destroy, or damage with Intent to destroy, any cultivated Root or Plant used for the Food of Man or Beast, or for Medicine, or for distilling, or for dyeing, or for or in the Course of any Manufacture, and growing in any Land, open or inclosed, not being a Garden, Orchard, or Nursery Ground, shall, on Conviction thereof before a Justice of the Peace, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for any Term not exceeding One Month, or else shall forfeit and pay, over and above the Amount of the Injury done, such Sum of Money not exceeding Twenty Shillings as to the Justice shall seem meet, and in default of Payment thereof, together with the Costs, if ordered, shall be committed as aforesaid for any Term not exceeding One Month, unless Payment be sooner made; and whosoever having been convicted of any such Offence either against this or any former Act of Parliament, shall afterwards commit any of the said Offences, in this Section before mentioned, and shall be convicted thereof in like Manner, shall be committed to the Common Gaol or House of Correction, there to be kept to Hard Labour for such Term not exceeding Six Months as the convicting Justice shall think fit.

Second Offence.

Injuries

Injuries to Fences.

Destroying, &c. any Fence, &c.

25. Whosoever shall unlawfully and maliciously cut, break, throw down, or in anywise destroy any Fence of any Description whatsoever, or any Wall, Stile, or Gate, or any Part thereof respectively, shall, on Conviction thereof before a Justice of the Peace, for the First Offence forfeit and pay, over and above the Amount of the Injury done, such Sum of Money not exceeding Five Pounds as to the Justice shall seem meet; and whosoever, having been convicted of any such Offence, either against this or any former Act of Parliament, shall afterwards commit any of the said Offences in this Section before mentioned, and shall be convicted thereof in like Manner, shall be committed to the Common Gaol or House of Correction, there to be kept to Hard Labour for such Term not exceeding Twelve Months as the convicting Justice shall think fit.

Second Offence.

Injuries to Mines.

Setting fire to a Coal Mine.

26. Whosoever shall unlawfully and maliciously set fire to any Mine of Coal, Cannel Coal, Anthracite, or other Mineral Fuel, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Attempting to set fire to a Mine.

27. Whosoever shall unlawfully and maliciously by any overt Act attempt to set fire to any Mine, under such Circumstances that if the Mine were thereby set fire to the Offender would be guilty of Felony, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Conveying Water into a Mine, obstructing the Shaft, &c.

28. Whosoever shall unlawfully and maliciously cause any Water to be conveyed or run into any Mine, or into any subterraneous Passage communicating therewith, with Intent thereby to destroy or damage such Mine, or to hinder or delay the working thereof, or shall with the like Intent unlawfully and maliciously pull down, fill up, or obstruct, or damage with Intent to destroy, obstruct, or render useless, any Airway, Waterway, Drain, Pit, Level, or Shaft of or belonging to any Mine, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping: Provided that this Provision shall not extend to any

Damage

Damage committed underground by any Owner of any adjoining Mine in working the same, or by any Person duly employed in such working.

Damaging Steam Engines, Staiths, Waggon-ways, &c. for working Mines.

29. Whosoever shall unlawfully and maliciously pull down or destroy, or damage with Intent to destroy or render useless, any Steam Engine or other Engine for sinking, draining, ventilating, or working, or for in anywise assisting in sinking, draining, ventilating, or working any Mine, or any Appliance or Apparatus in connexion with any such Steam or other Engine, or any Staith, Building, or Erection used in conducting the Business of any Mine, or any Bridge, Waggonway, or Trunk for conveying Minerals from any Mine, whether such Engine, Staith, Building, Erection, Bridge, Waggonway, or Trunk be completed or in an unfinished State, or shall unlawfully and maliciously stop, obstruct, or hinder the working of any such Steam or other Engine, or of any such Appliance or Apparatus as aforesaid, with Intent thereby to destroy or damage any Mine, or to hinder, obstruct, or delay the working thereof, or shall unlawfully and maliciously wholly or partially cut through, sever, break, or unfasten, or damage with Intent to destroy or render useless, any Rope, Chain, or Tackle, of whatsoever Material the same shall be made, used in any Mine, or in or upon any inclined Plane, Railway or other Way, or other Work whatsoever, in anywise belonging or appertaining to or connected with or employed in any Mine or the working or Business thereof, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Injuries to Sea and River Banks, and to Works on Rivers, Canals, &c.

Destroying any Sea Bank, or Wall on any Canal.

30. Whosoever shall unlawfully and maliciously break down or cut down or otherwise damage or destroy any Sea Bank or Sea Wall, or the Bank, Dam, or Wall of or belonging to any River, Canal, Drain, Reservoir, Pool, or Marsh, whereby any Land or Building shall be or shall be in danger of being overflowed or damaged, or shall unlawfully and maliciously throw, break, or cut down, level, undermine, or otherwise destroy, any Quay, Wharf, Jetty, Lock, Sluice, Floodgate, Weir, Tunnel, Towing-path, Drain, Watercourse, or other Work belonging to any Port, Harbour, Dock, or Reservoir, or on or belonging to any navigable River or Canal, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

31. Whosoever

Malicious Injuries to Property.

Removing Piles of any Sea Bank, &c. or obstructing Navigation of a River or Canal.

31. Whosoever shall unlawfully and maliciously cut off, draw up, or remove any Piles, Chalk, or other Materials fixed in the Ground, and used for securing any Sea Bank or Sea Wall, or the Bank, Dam, or Wall of any River, Canal, Drain, Aqueduct, Marsh, Reservoir, Pool, Port, Harbour, Dock, Quay, Wharf, Jetty, or Lock, or shall unlawfully and maliciously open or draw up any Floodgate or Sluice, or do any other Injury or Mischief to any navigable River or Canal, with Intent and so as thereby to obstruct or prevent the carrying on, completing, or maintaining the Navigation thereof, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Injuries to Ponds.

Breaking down the Dam of a Fishery, &c. or Mill Dam, or poisoning Fish.

32. Whosoever shall unlawfully and maliciously cut through, break down, or otherwise destroy the Dam, Floodgate, or Sluice of any Fish Pond, or of any Water which shall be private Property, or in which there shall be any private Right of Fishery, with Intent thereby to take or destroy any of the Fish in such Pond or Water, or so as thereby to cause the Loss or Destruction of any of the Fish, or shall unlawfully and maliciously put any Lime or other noxious Material in any such Pond or Water, with Intent thereby to destroy any of the Fish that may then be or that may thereafter be put therein, or shall unlawfully and maliciously cut through, break down, or otherwise destroy the Dam or Floodgate of any Mill Pond, Reservoir, or Pool, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Injuries to Bridges, Viaducts, and Toll Bars.

Injury to a public Bridge.

33. Whosoever shall unlawfully and maliciously pull or throw down or in anywise destroy any Bridge (whether over any Stream of Water or not), or any Viaduct or Aqueduct, over or under which Bridge, Viaduct, or Aqueduct any Highway, Railway, or Canal shall pass, or do any Injury with Intent and so as thereby to render such Bridge, Viaduct, or Aqueduct, or the Highway, Railway, or Canal passing over or under the same, or any Part thereof, dangerous or impassable, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with

with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Destroying a Turnpike Gate, Toll House, &c.

34. Whosoever shall unlawfully and maliciously throw down, level, or otherwise destroy, in whole or in part, any Turnpike Gate or Toll Bar, or any Wall, Chain, Rail, Post, Bar, or other Fence belonging to any Turnpike Gate or Toll Bar, or set up or erected to prevent Passengers passing by without paying any Toll directed to be paid by any Act of Parliament relating thereto, or any House, Building, or Weighing Engine erected for the better Collection, Ascertainment, or Security of any such Toll, shall be guilty of a Misdemeanor.

Injuries to Railway Carriages and Telegraphs.

Placing Wood, &c. on Railway with Intent to obstruct or overthrow any Engine, &c.

35. Whosoever shall unlawfully and maliciously put, place, cast, or throw upon or across any Railway any Wood, Stone, or other Matter or Thing, or shall unlawfully and maliciously take up, remove, or displace any Rail, Sleeper, or other Matter or Thing belonging to any Railway, or shall unlawfully and maliciously turn, move, or divert any Points or other Machinery belonging to any Railway, or shall unlawfully and maliciously make or show, hide or remove, any Signal or Light upon or near to any Railway, or shall unlawfully and maliciously do or cause to be done any other Matter or Thing, with Intent, in any of the Cases aforesaid, to obstruct, upset, overthrow, injure, or destroy any Engine, Tender, Carriage, or Truck using such Railway, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and, if a Male under the Age of Sixteen, with or without Whipping.

Obstructing Engines or Carriages on Railways.

36. Whosoever, by any unlawful Act, or by any wilful Omission or Neglect, shall obstruct or cause to be obstructed any Engine or Carriage using any Railway, or shall aid or assist therein, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Injuries to Electric or Magnetic Telegraphs.

37. Whosoever shall unlawfully and maliciously cut, break, throw down, destroy, injure, or remove any Battery, Machinery, Wire, Cable, Post, or other Matter or Thing whatsoever, being Part of or being used or employed in or about any Electric or Magnetic Telegraph, or in the working thereof, or shall unlawfully and maliciously prevent or obstruct in any Manner whatsoever the sending, Conveyance, or Delivery of any Communication by any such Telegraph, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour: Provided that if it shall appear to any Justice, on the Examination of any Person charged with any Offence against this Section, that it is not expedient to the Ends of Justice that the same should be prosecuted by Indictment, the Justice

Justice may proceed summarily to hear and determine the same, and the Offender shall, on Conviction thereof, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for any Term not exceeding Three Months, or else shall forfeit and pay such Sum of Money not exceeding Ten Pounds as to the Justice shall seem meet.

Attempt to injure such Telegraphs.

38. Whosoever shall unlawfully and maliciously, by any overt Act, attempt to commit any of the Offences in the last preceding Section mentioned, shall, on Conviction thereof before a Justice of the Peace, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for any Term not exceeding Three Months, or else shall forfeit and pay such Sum of Money not exceeding Ten Pounds as to the Justice shall seem meet.

Injuries to Works of Art.

Destroying or damaging Works of Art in Museums, Churches, &c. or in Public Places.

39. Whosoever shall unlawfully and maliciously destroy or damage any Book, Manuscript, Picture, Print, Statue, Bust, or Vase, or any other Article or Thing kept for the Purposes of Art, Science, or Literature, or as an Object of Curiosity, in any Museum, Gallery, Cabinet, Library, or other Repository, which Museum, Gallery, Cabinet, Library, or other Repository is either at all Times or from Time to Time open for the Admission of the Public or of any considerable Number of Persons to view the same, either by the Permission of the Proprietor thereof or by the Payment of Money before entering the same, or any Picture, Statue, Monument, or other Memorial of the Dead, painted Glass, or other Ornament or Work of Art, in any Church, Chapel, Meeting House, or other Place of Divine Worship, or in any Building belonging to the Queen, or to any County, Riding, Division, City, Borough, Poor Law Union, Parish, or Place, or to any University, or College or Hall of any University, or to any Inn of Court, or in any Street, Square, Churchyard, Burial Ground, Public Garden or Ground, or any Statue or Monument exposed to Public View, or any Ornament, Railing, or Fence surrounding such Statue or Monument, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable to be imprisoned for any Term not exceeding Six Months, with or without Hard Labour, and, if a Male under the Age of Sixteen Years, with or without Whipping; provided that nothing herein contained shall be deemed to affect the Right of any Person to recover, by Action at Law, Damages for the Injury so committed.

Injuries to Cattle and other Animals.

Killing or maiming Cattle.

40. Whosoever shall unlawfully and maliciously kill, maim, or wound any Cattle shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen and not less than Three Years,—or to be imprisoned for any Term

Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Killing or maiming other Animals.

41. Whosoever shall unlawfully and maliciously kill, maim, or wound any Dog, Bird, Beast, or other Animal, not being Cattle, but being either the Subject of Larceny at Common Law, or being ordinarily kept in a State of Confinement, or for any domestic Purpose, shall, on Conviction thereof before a Justice of the Peace, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for any Term not exceeding Six Months, or else shall forfeit and pay, over and above the Amount of Injury done, such Sum of Money not exceeding Twenty Pounds as to the Justice shall seem meet; and whosoever, having been convicted of any such Offence, shall afterwards commit any of the said Offences in this Section before mentioned, and shall be convicted thereof in like Manner, shall be committed to the Common Gaol or House of Correction, there to be kept to Hard Labour for such Term not exceeding Twelve Months as the convicting Justice shall think fit.

Second Offence.

Setting fire to a Ship.

42. Whosoever shall unlawfully and maliciously set fire to, cast away, or in anywise destroy any Ship or Vessel, whether the same be complete or in an unfinished State, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Setting fire to Ships to prejudice the Owner or Underwriters.

43. Whosoever shall unlawfully and maliciously set fire to, or cast away, or in anywise destroy any Ship or Vessel, with Intent thereby to prejudice any Owner or Part Owner of such Ship or Vessel, or of any Goods on board the same, or any Person that has underwritten or shall underwrite any Policy of Insurance upon such Ship or Vessel, or on the Freight thereof, or upon any Goods on board the same, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Attempting to set fire to a Vessel.

44. Whosoever shall unlawfully and maliciously, by any overt Act, attempt to set fire to, cast away, or destroy any Ship or Vessel, under such Circumstances that if the Ship or Vessel were thereby set fire to, cast away, or destroyed, the Offender would be guilty of Felony, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

45. Whosoever

Placing Gunpowder near a Vessel with Intent to damage it.

45. Whosoever shall unlawfully and maliciously place or throw in, into, upon, against, or near any Ship or Vessel any Gunpowder or other explosive Substance, with Intent to destroy or damage any Ship or Vessel, or any Machinery, working Tools, Goods, or Chattels, shall, whether or not any Explosion take place, and whether or not any Injury be effected, be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Damaging Ships otherwise than by Fire.

46. Whosoever shall unlawfully and maliciously damage, otherwise than by Fire, Gunpowder, or other explosive Substance, any Ship or Vessel, whether complete or in an unfinished State, with Intent to destroy the same or render the same useless, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Exhibiting false Signals, &c.

47. Whosoever shall unlawfully mask, alter, or remove any Light or Signal, or unlawfully exhibit any false Light or Signal, with Intent to bring any Ship, Vessel, or Boat into Danger, or shall unlawfully and maliciously do anything tending to the immediate Loss or Destruction of any Ship, Vessel, or Boat, and for which no Punishment is herein-before provided, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life, or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Removing or concealing Buoys and other Sea Marks.

48. Whosoever shall unlawfully and maliciously cut away, cast adrift, remove, alter, deface, sink, or destroy, or shall unlawfully and maliciously do any Act with Intent to cut away, cast adrift, remove, alter, deface, sink, or destroy, or shall in any other Manner unlawfully and maliciously injure or conceal any Boat, Buoy, Buoy Rope, Perch, or Mark used or intended for the Guidance of Seamen or the Purpose of Navigation, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Destroying Wrecks or any Articles belonging thereto.

49. Whosoever shall unlawfully and maliciously destroy any Part of any Ship or Vessel which shall be in Distress, or wrecked, stranded, or cast on shore, or any Goods, Merchandise, or Articles of

of any Kind belonging to such Ship or Vessel, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Sending Letters threatening to burn or destroy.

Sending Letters threatening to burn or destroy Houses, Buildings, Ships, &c.

50. Whosoever shall send, deliver, or utter, or directly or indirectly cause to be received, knowing the Contents thereof, any Letter or Writing threatening to burn or destroy any House, Barn, or other Building, or any Rick or Stack of Grain, Hay, or Straw, or other Agricultural Produce, or any Grain, Hay, or Straw, or other Agricultural Produce in or under any Building, or any Ship or Vessel, or to kill, maim, or wound any Cattle, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Ten Years and not less than Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Injuries not before provided for.

Persons committing malicious Injuries not before provided for exceeding the Amount of 5*l*.

51. Whosoever shall unlawfully and maliciously commit any Damage, Injury, or Spoil to or upon any Real or Personal Property whatsoever, either of a public or private Nature, for which no Punishment is herein-before provided, the Damage, Injury, or Spoil being to an Amount exceeding Five Pounds, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour; and in case any such Offence shall be committed between the Hours of Nine of the Clock in the Evening and Six of the Clock in the next Morning, shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Five Years and not less than Three, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Persons committing Damage not previously provided for, may be committed and compelled to pay not exceeding 5*l*.

52. Whosoever shall wilfully or maliciously commit any Damage, Injury, or Spoil to or upon any Real or Personal Property whatsoever, either of a public or private Nature, for which no Punishment is herein-before provided, shall, on Conviction thereof before a Justice of the Peace, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for any Term not exceeding Two Months, or else shall forfeit and pay such Sum of Money not exceeding Five Pounds as to the Justice shall seem meet, and also such further Sum of Money as shall appear to the Justice to be a reasonable Compensation for the Damage, Injury, or Spoil so committed, not exceeding the Sum of Five Pounds; which last-mentioned Sum of Money shall,

Application of Money awarded.

in the Case of private Property, be paid to the Party aggrieved; and in the Case of Property of a public Nature, or wherein any public Right is concerned, the Money shall be applied in the same Manner as every Penalty imposed by a Justice of the Peace under this Act; and if such Sums of Money, together with Costs (if ordered), shall not be paid either immediately after the Conviction, or within such Period as the Justice shall at the Time of the Conviction appoint, the Justice may commit the Offender to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, as the Justice shall think fit, for any Term not exceeding Two Months, unless such Sums and Costs be sooner paid: Provided that nothing herein contained shall extend to any Case where the Party acted under a fair and reasonable Supposition that he had a Right to do the Act complained of, nor to any Trespass, not being wilful and malicious, committed in hunting, fishing, or in the Pursuit of Game, but that every such Trespass shall be punishable in the same Manner as if this Act had not passed.

Not to extend to certain Cases.

Sect. 52. to extend to Trees.

53. The Provisions in the last preceding Section contained shall extend to any Person who shall wilfully or maliciously commit any Injury to any Tree, Sapling, Shrub, or Underwood, for which no Punishment is herein-before provided.

Making Gunpowder to commit Offences, and searching for the same.

Making or having Gunpowder, &c. with Intent to commit any Felony against this Act.

54. Whosoever shall make or manufacture, or knowingly have in his Possession, any Gunpowder or other explosive Substance, or any dangerous or noxious Thing, or any Machine, Engine, Instrument, or Thing, with Intent thereby or by means thereof to commit, or for the Purpose of enabling any other Person to commit, any of the Felonies in this Act mentioned, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Justices may issue Warrants for searching Houses, &c. for such Gunpowder, &c.

55. Any Justice of the Peace of any County or Place in which any Machine, Engine, Implement, or Thing, or any Gunpowder or other explosive, dangerous, or noxious Substance, is suspected to be made, kept, or carried for the Purpose of being used in committing any of the Felonies in this Act mentioned, upon reasonable Cause assigned upon Oath by any Person, may issue a Warrant under his Hand and Seal for searching in the Daytime any House, Mill, Magazine, Storehouse, Warehouse, Shop, Cellar, Yard, Wharf, or other Place, or any Carriage, Waggon, Cart, Ship, Boat, or Vessel, in which the same is suspected to be made, kept, or carried for such Purpose as herein-before mentioned; and every Person acting in the Execution of any such Warrant shall have, for seizing, removing to proper Places, and detaining every such Machine, Engine, Implement, and Thing, and all such Gunpowder, explosive, dangerous, or noxious Substances found upon such Search,

Search, which he shall have good Cause to suspect to be intended to be used in committing any such Offence, and the Barrels, Packages, Cases, and other Receptacles in which the same shall be, the same Powers and Protections which are given to Persons searching for unlawful Quantities of Gunpowder under the Warrant of a Justice by the Act passed in the Session holden in the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and thirty-nine, intituled *An Act to amend the Law concerning the making, keeping, and Carriage of Gunpowder and Compositions of an explosive Nature, and concerning the Manufacture, Sale, and Use of Fireworks.*

Other Matters.

Principals in the Second Degree and Accessories.

56. In the Case of every Felony punishable under this Act, every Principal in the Second Degree, and every Accessory before the Fact, shall be punishable in the same Manner as the Principal in the First Degree is by this Act punishable; and every Accessory after the Fact to any Felony punishable under this Act shall on Conviction be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement; and every Person who shall aid, abet, counsel, or procure the Commission of any Misdemeanor punishable under this Act shall be liable to be proceeded against, indicted, and punished as a principal Offender.

Abettors in Misdemeanors.

As to Persons loitering at Night, suspected of Felony.

57. Any Constable or Peace Officer may take into Custody, without Warrant, any Person whom he shall find lying or loitering in any Highway, Yard, or other Place during the Night, and whom he shall have good Cause to suspect of having committed or being about to commit any Felony against this Act, and shall take such Person as soon as reasonably may be before a Justice of the Peace, to be dealt with according to Law.

Malice against Owner unnecessary.

58. Every Punishment and Forfeiture by this Act imposed on any Person maliciously committing any Offence, whether the same be punishable upon Indictment or upon summary Conviction, shall equally apply and be enforced, whether the Offence shall be committed from Malice conceived against the Owner of the Property in respect of which it shall be committed or otherwise.

Act to apply to Persons in possession of Property injured.

59. Every Provision of this Act not herein-before so applied shall apply to every Person who, with Intent to injure or defraud any other Person, shall do any of the Acts herein-before made penal, although the Offender shall be in possession of the Property against or in respect of which such Act shall be done.

Intent to injure particular Persons need not be stated in Indictment.

60. It shall be sufficient in any Indictment for any Offence against this Act, where it shall be necessary to allege an Intent to injure or defraud, to allege that the Party accused did the Act with Intent to injure or defraud (as the Case may be), without alleging an Intent to injure or defraud any particular Person; and on the Trial of any such Offence it shall not be necessary to prove an Intent to injure or defraud any particular

Person, but it shall be sufficient to prove that the Party accused did the Act charged with an Intent to injure or defraud (as the Case may be).

Persons in Act of committing Offence may be apprehended.

61. Any Person found committing any Offence against this Act, whether the same be punishable upon Indictment or upon summary Conviction, may be immediately apprehended, without a Warrant, by any Peace Officer, or the Owner of the Property injured, or his Servant, or any Person authorized by him, and forthwith taken before some neighbouring Justice of the Peace, to be dealt with according to Law.

Mode of compelling the Appearance of Persons punishable on summary Conviction.

62. Where any Person shall be charged on the Oath of a credible Witness before any Justice of the Peace with any Offence punishable on summary Conviction under this Act, the Justice may summon the Person charged to appear at a Time and Place to be named in such Summons; and if he shall not appear accordingly, then (upon Proof of the due Service of the Summons upon such Person by delivering the same to him personally, or by leaving the same at his usual Place of Abode,) the Justice may either proceed to hear and determine the Case *ex parte*, or issue his Warrant for apprehending such Person and bringing him before himself or some other Justice of the Peace; or the Justice before whom the Charge shall be made may (if he shall so think fit), without any previous Summons (unless where otherwise specially directed), issue such Warrant; and the Justice before whom the Person charged shall appear or be brought shall proceed to hear and determine the Case.

Abettors in Offences punishable on summary Conviction.

63. Whosoever shall aid, abet, counsel, or procure the Commission of any Offence which is by this Act punishable on summary Conviction, either for every Time of its Commission, or for the First and Second Time only, or for the First Time only, shall, on Conviction before a Justice of the Peace, be liable, for every First, Second, or subsequent Offence of aiding, abetting, counselling, or procuring, to the same Forfeiture and Punishment to which a Person guilty of a First, Second, or subsequent Offence as a principal Offender is by this Act made liable.

Application of Forfeitures, &c. upon summary Convictions.

64. Every Sum of Money which shall be forfeited for the Amount of any Injury done shall be assessed in each Case by the convicting Justice, and shall be paid to the Party aggrieved, except where he is unknown, and in that Case such Sum shall be applied in the same Manner as a Penalty; and every Sum which shall be imposed as a Penalty by any Justice of the Peace, whether in addition to such Amount or otherwise, shall be paid and applied in the same Manner as other Penalties recoverable before Justices of the Peace are to be paid and applied in Cases where the Statute imposing the same contains no Directions for the Payment thereof to any Person: Provided that where several Persons shall join in the Commission of the same Offence, and shall, upon Conviction thereof, each be adjudged to forfeit a Sum equivalent to the Amount of the Injury done, in every such Case no further Sum shall be paid to the Party aggrieved than such Value or Amount; and the remaining Sum or Sums forfeited shall be applied in the same Manner as any Penalty imposed

Proviso where several Persons join in Commission of same Offence.

imposed by a Justice of the Peace is herein-before directed to be applied.

If a Person summarily convicted shall not pay, &c., the Justice may commit him.

65. In every Case of a summary Conviction under this Act, where the Sum which shall be forfeited for the Amount of the Injury done, or which shall be imposed as a Penalty by the Justice, shall not be paid, either immediately after the Conviction, or within such Period as the Justice shall, at the Time of the Conviction, appoint, the convicting Justice (unless where otherwise specially directed) may commit the Offender to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, according to the Discretion of the Justice, for any Term not exceeding Two Months, where the Amount of the Sum forfeited, or of the Penalty imposed, or of both, (as the Case may be,) together with the Costs, shall not exceed Five Pounds; and for any Term not exceeding Four Months where the Amount, with Costs, shall not exceed Ten Pounds; and for any Term not exceeding Six Months in any other Case; the Commitment to be determinable in each of the Cases aforesaid upon Payment of the Amount and Costs.

Justice may discharge Offender in certain Cases.

66. Where any Person shall be summarily convicted before a Justice of the Peace of any Offence against this Act, and it shall be a First Conviction, the Justice may, if he shall so think fit, discharge the Offender from his Conviction upon his making such Satisfaction to the Party aggrieved for Damages and Costs, or either of them, as shall be ascertained by the Justice.

Summary Conviction a Bar to any other Proceeding.

67. When any Person convicted of any Offence punishable upon summary Conviction by virtue of this Act shall have paid the Sum adjudged to be paid, together with Costs, under such Conviction, or shall have received a Remission thereof from the Crown, or the Lord Lieutenant or other Chief Governor of *Ireland*, or shall have suffered the Imprisonment awarded for Non-payment thereof, or the Imprisonment awarded in the first instance, or shall have been so discharged from his Conviction by any Justice as aforesaid, he shall be released from all further or other Proceedings for the same Cause.

Appeal.

68. In all Cases where the Sum adjudged to be paid on any summary Conviction shall exceed Five Pounds, or the Imprisonment adjudged shall exceed One Month, or the Conviction shall take place before One Justice only, any Person who shall think himself aggrieved by any such Conviction may appeal to the next Court of General or Quarter Sessions which shall be holden not less than Twelve Days after the Day of such Conviction, for the County or Place wherein the Cause of Complaint shall have arisen; provided that such Person shall give to the Complainant a Notice in Writing of such Appeal, and of the Cause and Matter thereof, within Three Days after such Conviction, and Seven clear Days at the least before such Sessions, and shall also either remain in Custody until the Sessions, or shall enter into a Recognizance, with Two sufficient Sureties, before a Justice of the Peace, conditioned personally to appear at the said Sessions and to try such Appeal, and to abide the

Judgment of the Court thereupon, and to pay such Costs as shall be by the Court awarded; or if such Appeal shall be against any Conviction whereby only a Penalty or Sum of Money shall be adjudged to be paid, shall deposit with the Clerk of the convicting Justice such a Sum of Money as such Justice shall deem to be sufficient to cover the Sum so adjudged to be paid, together with the Costs of the Conviction and the Costs of the Appeal; and upon such Notice being given, and such Recognizance being entered into, or such Deposit being made, the Justice before whom such Recognizance shall be entered into, or such Deposit shall be made, shall liberate such Person if in Custody; and the Court at such Sessions shall hear and determine the Matter of the Appeal, and shall make such Order therein, with or without Costs to either Party, as to the Court shall seem meet; and in case of the Dismissal of the Appeal, or the Affirmance of the Conviction, shall order and adjudge the Offender to be punished according to the Conviction, and to pay such Costs as shall be awarded, and shall, if necessary, issue Process for enforcing such Judgment; and in any Case where after any such Deposit shall have been made as aforesaid the Conviction shall be affirmed, the Court may order the Sum thereby adjudged to be paid, together with the Costs of the Conviction and the Costs of the Appeal, to be paid out of the Money deposited, and the Residue thereof, if any, to be repaid to the Party convicted; and in any Case where after any such Deposit the Conviction shall be quashed, the Court shall order the Money deposited to be repaid to the Party convicted; and in every Case where any Conviction shall be quashed on Appeal as aforesaid, the Clerk of the Peace or other proper Officer shall forthwith indorse on the Conviction a Memorandum that the same has been quashed; and whenever any Copy or Certificate of such Conviction shall be made, a Copy of such Memorandum shall be added thereto, and shall be sufficient Evidence that the Conviction has been quashed in every Case where such Copy or Certificate would be sufficient Evidence of such Conviction.

No Certiorari, &c.

69. No such Conviction, or Adjudication made on Appeal therefrom, shall be quashed for Want of Form, or be removed by Certiorari into any of Her Majesty's Superior Courts of Record; and no Warrant of Commitment shall be held void by reason of any Defect therein, provided it be therein alleged that the Party has been convicted, and there be a good and valid Conviction to sustain the same.

Convictions to be returned to Quarter Sessions.

70. Every Justice of the Peace before whom any Person shall be convicted of any Offence against this Act shall transmit the Conviction to the next Court of General or Quarter Sessions which shall be holden for the County or Place wherein the Offence shall have been committed, there to be kept by the proper Officer among the Records of the Court; and upon any Indictment or Information against any Person for a subsequent Offence, a Copy of such Conviction, certified by the proper Officer of the Court, or proved to be a true Copy, shall be sufficient Evidence to prove a Conviction for the former Offence, and the Conviction shall be presumed

How far Evidence in future Cases.

presumed to have been unappealed against until the contrary be shown.

Venue in Proceedings against Persons acting under this Act.

71. All Actions and Prosecutions to be commenced against any Person for anything done in pursuance of this Act shall be laid and tried in the County where the Fact was committed, and shall be commenced within Six Months after the Fact committed, and not otherwise; and Notice in Writing of such Action, and of the Cause thereof, shall be given to the Defendant One Month at least before the Commencement of the Action; and in any such Action the Defendant may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon; and no Plaintiff shall recover in any such Action if Tender of sufficient Amends shall have been made before such Action brought, or if a sufficient Sum of Money shall have been paid into Court after such Action brought, by or on behalf of the Defendant; and if a Verdict shall pass for the Defendant, or the Plaintiff shall become nonsuit, or discontinue any such Action after Issue joined, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff, the Defendant shall recover his full Costs as between Attorney and Client, and have the like Remedy for the same as any Defendant has by Law in other Cases; and though a Verdict shall be given for the Plaintiff in any such Action, such Plaintiff shall not have Costs against the Defendant, unless the Judge before whom the Trial shall be shall certify his Approbation of the Action.

Offences committed within Jurisdiction of the Admiralty.

72. All indictable Offences mentioned in this Act which shall be committed within the Jurisdiction of the Admiralty of *England* or *Ireland* shall be deemed to be Offences of the same Nature and liable to the same Punishments as if they had been committed upon the Land in *England* or *Ireland*, and may be dealt with, inquired of, tried, and determined in any County or Place in *England* or *Ireland* in which the Offender shall be apprehended or be in Custody, in the same Manner in all respects as if they had been actually committed in that County or Place; and in any Indictment for any such Offence, or for being an Accessory to such an Offence, the Venue in the Margin shall be the same as if the Offence had been committed in such County or Place, and the Offence shall be averred to have been committed "on the High Seas:" Provided that nothing herein contained shall alter or affect any of the Laws relating to the Government of Her Majesty's Land or Naval Forces.

Fine and Sureties for keeping the Peace; in what Cases.

73. Whenever any Person shall be convicted of any indictable Misdemeanor punishable under this Act, the Court may, if it shall think fit, in addition to or in lieu of any of the Punishments by this Act authorized, fine the Offender, and require him to enter into his own Recognizances, and to find Sureties, both or either, for keeping the Peace and being of good Behaviour; and in case of any Felony punishable under this Act, the Court may, if it shall think fit, require the Offender to enter into his own Recognizances, and to find Sureties, both or either, for keeping the Peace, in addition to any Punishment by this Act authorized:

Provided that no Person shall be imprisoned under this Clause for not finding Sureties for any Period exceeding One Year.

Hard Labour.

74. Whenever Imprisonment, with or without Hard Labour, may be awarded for any indictable Offence under this Act, the Court may sentence the Offender to be imprisoned, or to be imprisoned and kept to Hard Labour, in the Common Gaol or House of Correction.

Solitary Confinement and Whipping.

75. Whenever Solitary Confinement may be awarded for any indictable Offence under this Act, the Court may direct the Offender to be kept in Solitary Confinement for any Portion or Portions of his Imprisonment, or of his Imprisonment with Hard Labour, not exceeding One Month at any One Time, and not exceeding Three Months in any One Year; and whenever Whipping may be awarded for any indictable Offence under this Act, the Court may sentence the Offender to be once privately whipped; and the Number of Strokes, and the Instrument with which they shall be inflicted, shall be specified by the Court in the Sentence.

Summary Proceedings in England may be under 11 & 12 Vict. c. 43., and in Ireland under 14 & 15 Vict. c. 93.; except London and Metropolitan Police District.

76. Every Offence hereby made punishable on summary Conviction may be prosecuted in *England* in the Manner directed by the Act of the Session holden in the Eleventh and Twelfth Years of Queen *Victoria*, Chapter Forty-three, so far as no Provision is hereby made for any Matter or Thing which may be required to be done in the Course of such Prosecution, and may be prosecuted in *Ireland* before Two or more Justices of the Peace, or One Metropolitan or Stipendiary Magistrate, in the Manner directed by the Act of the Session holden in the Fourteenth and Fifteenth Years of Queen *Victoria*, Chapter Ninety-three, or in such other Manner as may be directed by any Act that may be passed for like Purposes, and all Provisions contained in the said Acts shall be applicable to such Prosecutions in the same Manner as if they were incorporated in this Act: Provided that nothing in this Act contained shall in any Manner alter or affect any Enactment relating to Procedure in the Case of any Offence punishable on Summary Conviction within the City of *London* or the Metropolitan Police District, or the Recovery or Application of any Penalty or Forfeiture for any such Offence.

Costs of Prosecution of Misdemeanors may be allowed.

77. The Court before which any indictable Misdemeanor against this Act shall be prosecuted or tried may allow the Costs of the Prosecution in the same Manner as in Cases of Felony; and every Order for the Payment of such Costs shall be made out, and the Sum of Money mentioned therein paid and repaid, upon the same Terms and in the same Manner in all respects as in Cases of Felony.

Extent of Act.

78. Nothing in this Act contained shall extend to *Scotland*, except as herein-before otherwise expressly provided.

Commencement of Act.

79. This Act shall commence and take effect on the First Day of *November* One thousand eight hundred and sixty-one.

CAP. XCVIII.

An Act to consolidate and amend the Statute Law of *England* and *Ireland* relating to indictable Offences by Forgery.

[6th *August* 1861.]

'WHEREAS it is expedient to consolidate and amend the 'Statute Law of *England* and *Ireland* relating to in- 'dictable Offences by Forgery:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

As to forging Her Majesty's Seals:—

Forging the Great Seal, Privy Seal, &c.

1. Whosoever shall forge or counterfeit, or shall utter, knowing the same to be forged or counterfeited, the Great Seal of the United Kingdom, Her Majesty's Privy Seal, any Privy Signet of Her Majesty, Her Majesty's Royal Sign Manual, any of Her Majesty's Seals appointed by the Twenty-fourth Article of the Union between *England* and *Scotland* to be kept, used, and continued in *Scotland*, the Great Seal of *Ireland*, or the Privy Seal of *Ireland*, or shall forge or counterfeit the Stamp or Impression of any of the Seals aforesaid, or shall utter any Document or Instrument whatsoever, having thereon or affixed thereto the Stamp or Impression of any such forged or counterfeited Seal, knowing the same to be the Stamp or Impression of such forged or counterfeited Seal, or any forged or counterfeited Stamp or Impression made or apparently intended to resemble the Stamp or Impression of any of the Seals aforesaid, knowing the same to be forged or counterfeited, or shall forge or alter, or utter knowing the same to be forged or altered, any Document or Instrument having any of the said Stamps or Impressions thereon or affixed thereto, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to forging Transfers of Stock, &c.:—

Forging Transfer of certain Stock, and Power of Attorney relating thereto.

2. Whosoever shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Transfer of any Share or Interest of or in any Stock, Annuity, or other Public Fund which now is or hereafter may be transferable at the Bank of *England* or at the Bank of *Ireland*, or of or in the Capital Stock of any Body Corporate, Company, or Society which now is or hereafter may be established by Charter, or by, under, or by virtue of any Act of Parliament, or shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Power of Attorney or other Authority to transfer any Share or Interest of or in any such Stock, Annuity, Public Fund, or Capital Stock, or to receive any Dividend or Money payable in respect of any such Share or Interest,

terest, or shall demand or endeavour to have any such Share or Interest transferred, or to receive any Dividend or Money payable in respect thereof, by virtue of any such forged or altered Power of Attorney or other Authority, knowing the same to be forged or altered, with Intent in any of the Cases aforesaid to defraud, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Personating the Owner of certain Stock, and transferring or receiving or endeavouring to transfer or receive the Dividends.

3. Whosoever shall falsely and deceitfully personate any Owner of any Share or Interest of or in any Stock, Annuity, or other Public Fund which now is or hereafter may be transferable at the Bank of *England*, or at the Bank of *Ireland*, or any Owner of any Share or Interest of or in the Capital Stock of any Body Corporate, Company, or Society which now is or hereafter may be established by Charter, or by, under, or by virtue of any Act of Parliament, or any Owner of any Dividend or Money payable in respect of any such Share or Interest as aforesaid, and shall thereby transfer or endeavour to transfer any Share or Interest belonging to any such Owner, or thereby receive or endeavour to receive any Money due to any such Owner, as if such Offender were the true and lawful Owner, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Forging Attestation to Power of Attorney for Transfer of Stock, &c.

4. Whosoever shall forge any Name, Handwriting, or Signature purporting to be the Name, Handwriting, or Signature of a Witness attesting the Execution of any Power of Attorney or other Authority to transfer any Share or Interest of or in any such Stock, Annuity, Public Fund, or Capital Stock as is in either of the last Two preceding Sections mentioned, or to receive any Dividend or Money payable in respect of any such Share or Interest, or shall offer, utter, dispose of, or put off any such Power of Attorney or other Authority, with any such forged Name, Handwriting, or Signature thereon, knowing the same to be forged, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Making false Entries in the Books of the Public Funds.

5. Whosoever shall wilfully make any false Entry in, or wilfully alter any Word or Figure in, any of the Books of Account kept by the Governor and Company of the Bank of *England* or the Governor and Company of the Bank of *Ireland*, in which Books the Accounts of the Owners of any Stock, Annuities, or other Public Funds which now are or hereafter may be transferable at the Bank of *England* or at the Bank of *Ireland* shall be entered

and

and kept, or shall in any Manner wilfully falsify any of the Accounts of any of such Owners in any of the said Books, with Intent in any of the Cases aforesaid to defraud, or shall wilfully make any Transfer of any Share or Interest of or in any Stock, Annuity, or other Public Fund which now is or hereafter may be transferable at the Bank of *England* or at the Bank of *Ireland*, in the Name of any Person not being the true and lawful Owner of such Share or Interest, with Intent to defraud, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Clerks of the Bank making out false Dividend Warrants.

6. Whosoever, being a Clerk, Officer, or Servant of, or other Person employed or intrusted by the Governor and Company of the Bank of *England* or the Governor and Company of the Bank of *Ireland*, shall knowingly make out or deliver any Dividend Warrant, or Warrant for Payment of any Annuity, Interest, or Money payable at the Bank of *England* or *Ireland*, for a greater or less Amount than the Person on whose Behalf such Warrant shall be made out is entitled to, with Intent to defraud, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to forging *India* Bonds :—

Forging an East India Bond.

7. Whosoever shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Bond commonly called an *East India* Bond, or any Bond, Debenture, or Security issued or made under the Authority of any Act passed or to be passed relating to the *East Indies*, or any Indorsement on or Assignment of any such Bond, Debenture, or Security, with Intent to defraud, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to forging Exchequer Bills, &c. :—

Forging Exchequer Bills, Bonds, and Debentures, &c.

8. Whosoever shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Exchequer Bill or Exchequer Bond or Exchequer Debenture, or any Indorsement on or Assignment of any Exchequer Bill or Exchequer Bond or Exchequer Debenture, or any Receipt or Certificate for Interest accruing thereon, with Intent to defraud, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

9. Whosoever,

Making Plates, &c. in imitation of those used for Exchequer Bills, &c.

9. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall make or cause or procure to be made, or shall aid or assist in making, or shall knowingly have in his Custody or Possession, any Frame, Mould, or Instrument having therein any Words, Letters, Figures, Marks, Lines, or Devices peculiar to and appearing in the Substance of any Paper provided or to be provided or used for Exchequer Bills or Exchequer Bonds or Exchequer Debentures, or any Machinery for working any Threads into the Substance of any Paper, or any such Thread, and intended to imitate such Words, Letters, Figures, Marks, Lines, Threads, or Devices, or any Plate peculiarly employed for printing such Exchequer Bills, Bonds, or Debentures, or any Die or Seal peculiarly used for preparing any such Plate, or for sealing such Exchequer Bills, Bonds, or Debentures, or any Plate, Die, or Seal intended to imitate any such Plate, Die, or Seal as aforesaid, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Making Paper in imitation of that used for Exchequer Bills, &c.

10. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall make, or cause or procure to be made, or aid or assist in making, any Paper in the Substance of which shall appear any Words, Letters, Figures, Marks, Lines, Threads, or other Devices peculiar to and appearing in the Substance of any Paper provided or to be provided or used for such Exchequer Bills, Bonds, or Debentures, or any Part of such Words, Letters, Figures, Marks, Lines, Threads, or other Devices, and intended to imitate the same, or shall knowingly have in his Custody or Possession any Paper whatsoever, in the Substance whereof shall appear any such Words, Letters, Figures, Marks, Lines, Threads, or Devices as aforesaid, or any Parts of such Words, Letters, Figures, Marks, Lines, Threads, or other Devices, and intended to imitate the same, or shall cause or assist in causing any such Words, Letters, Figures, Marks, Lines, Threads, or Devices as aforesaid, or any Part of such Words, Letters, Figures, Marks, Lines, Threads, or other Devices, and intended to imitate the same, to appear in the Substance of any Paper whatever, or shall take or assist in taking any Impression of any such Plate, Die, or Seal as in the last preceding Section mentioned, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Having in possession Paper, &c. for Exchequer Bills, &c.

11. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall purchase or receive, or knowingly have in his Custody or Possession, any Paper manufactured and provided by or under the Directions of the Commissioners of Inland Revenue or Commissioners of Her Majesty's

jesty's Treasury, for the Purpose of being used as Exchequer Bills or Exchequer Bonds or Exchequer Debentures, before such Paper shall have been duly stamped, signed, and issued for Public Use, or any such Plate, Die, or Seal as in the last Two preceding Sections mentioned, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Three Years, with or without Hard Labour.

As to forging Bank Notes :—

Forging a Bank Note, &c.

12. Whosoever shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Note or Bill of Exchange of the Governor and Company of the Bank of *England* or of the Governor and Company of the Bank of *Ireland*, or of any other Body Corporate, Company, or Person carrying on the Business of Bankers, commonly called a Bank Note, a Bank Bill of Exchange, or a Bank Post Bill, or any Indorsement on or Assignment of any Bank Note, Bank Bill of Exchange, or Bank Post Bill, with Intent to defraud, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Purchasing or receiving or having forged Bank Notes.

13. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall purchase or receive from any other Person, or have in his Custody or Possession, any forged Bank Note, Bank Bill of Exchange, or Bank Post Bill, or blank Bank Note, blank Bank Bill of Exchange, or blank Bank Post Bill, knowing the same to be forged, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

As to making and engraving Plates, &c. for Bank Notes, &c. :—

Making or having Mould for making Paper with the Words "Bank of England," or "Bank of Ireland," or with curved Bar Lines, &c., or selling such Paper.

14. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall make or use, or knowingly have in his Custody or Possession, any Frame, Mould, or Instrument for the making of Paper with the Words "Bank of *England*" or "Bank of *Ireland*," or any Part of such Words intended to resemble and pass for the same, visible in the Substance of the Paper, or for the making of Paper with curved or waving Bar Lines, or with the laying Wire Lines thereof in a waving or curved Shape, or with any Number, Sum, or Amount expressed in a Word or Words in Roman Letters, visible in the Substance of the Paper, or with any Device or Distinction peculiar to and appearing in the Substance of the Paper used by the Governor and Company of the Banks of *England* and *Ireland* respectively for any Notes, Bills of Exchange, or Bank Post Bills of such Banks respectively, or shall make, use, sell, expose to Sale, utter, or dispose of, or knowingly have in his Custody or Possession,

Possession, any Paper whatsoever with the Words "Bank of *England*" or "Bank of *Ireland*," or any Part of such Words intended to resemble and pass for the same, visible in the Substance of the Paper, or any Paper with curved or waving Bar Lines, or with the laying Wire Lines thereof in a waving or curved Shape, or with any Number, Sum, or Amount expressed in a Word or Words in Roman Letters, appearing visible in the Substance of the Paper, or with any Device or Distinction peculiar to and appearing in the Substance of the Paper used by the Governor and Company of the Banks of *England* and *Ireland* respectively for any Notes, Bills of Exchange, or Bank Post Bills of such Banks respectively, or shall by any Art or Contrivance cause the Words "Bank of *England*" or "Bank of *Ireland*," or any Part of such Words intended to resemble and pass for the same, or any Device or Distinction peculiar to and appearing in the Substance of the Paper used by the Governor and Company of the Banks of *England* and *Ireland* respectively for any Notes, Bills of Exchange, or Bank Post Bills of such Banks respectively, to appear visible in the Substance of any Paper, or shall cause the numerical Sum or Amount of any Bank Note, Bank Bill of Exchange, or Bank Post Bill, blank Bank Note, blank Bank Bill of Exchange, or blank Bank Post Bill, in a Word or Words in Roman Letters, to appear visible in the Substance of the Paper whereon the same shall be written or printed, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Proviso as to Paper used for Bills of Exchange, &c.

15. Nothing in the last preceding Section contained shall prevent any Person from issuing any Bill of Exchange or Promissory Note having the Amount thereof expressed in Guineas, or in a numerical Figure or Figures denoting the Amount thereof in Pounds Sterling, appearing visible in the Substance of the Paper upon which the same shall be written or printed, nor shall prevent any Person from making, using, or selling any Paper having waving or curved Lines or any other Devices in the Nature of Watermarks visible in the Substance of the Paper, not being Bar Lines or laying Wire Lines, provided the same are not so contrived as to form the Groundwork or Texture of the Paper, or to resemble the waving or curved laying Wire Lines or Bar Lines or the Watermarks of the Paper used by the Governor and Company of the Banks of *England* and *Ireland* respectively.

Engraving or having any Plate, &c. for making Notes of Bank of England or Ireland, or other Banks, or having such Plate, &c., or uttering or

16. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall engrave or in anywise make upon any Plate whatsoever, or upon any Wood, Stone, or other Material, any Promissory Note, Bill of Exchange, or Bank Post Bill, or Part of a Promissory Note, Bill of Exchange, or Bank Post Bill, purporting to be a Bank Note, Bank Bill of Exchange, or Bank Post Bill of the Governor and Company of the Bank of *England* or of the Governor and Company of the Bank of *Ireland*, or of any other Body Corporate,

Company,

Company, or Person carrying on the Business of Bankers, or to be a blank Bank Note, blank Promissory Note, blank Bank Bill of Exchange, or blank Bank Post Bill of the Governor and Company of the Bank of *England* or of the Governor and Company of the Bank of *Ireland*, or of any such other Body Corporate, Company, or Person as aforesaid, or to be a Part of a Bank Note, Promissory Note, Bank Bill of Exchange, or Bank Post Bill of the Governor and Company of the Bank of *England* or of the Governor and Company of the Bank of *Ireland*, or of any such other Body Corporate, Company, or Person as aforesaid, or any Name, Word, or Character resembling or apparently intended to resemble any Subscription to any Bill of Exchange or Promissory Note issued by the Governor and Company of the Bank of *England* or the Governor and Company of the Bank of *Ireland*, or by any such other Body Corporate, Company, or Person as aforesaid, or shall use any such Plate, Wood, Stone, or other Material, or any other Instrument or Device, for the making or printing any Bank Note, Bank Bill of Exchange, or Bank Post Bill, or blank Bank Note, blank Bank Bill of Exchange, or blank Bank Post Bill, or Part of a Bank Note, Bank Bill of Exchange, or Bank Post Bill, or knowingly have in his Custody or Possession any such Plate, Wood, Stone, or other Material, or any such Instrument or Device, or shall knowingly offer, utter, dispose of, or put off, or have in his Custody or Possession, any Paper upon which any blank Bank Note, blank Bank Bill of Exchange, or blank Bank Post Bill of the Governor and Company of the Bank of *England* or of the Governor and Company of the Bank of *Ireland*, or of any such other Body Corporate, Company, or Person as aforesaid, or Part of a Bank Note, Bank Bill of Exchange, or Bank Post Bill, or any Name, Word, or Character resembling or apparently intended to resemble any such Subscription, shall be made or printed, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

having Paper upon which a blank Bank Note, &c. shall be printed.

17. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall engrave or in anywise make upon any Plate whatsoever, or upon any Wood, Stone, or other Material, any Word, Number, Figure, Device, Character, or Ornament the Impression taken from which shall resemble or apparently be intended to resemble any Part of a Bank Note, Bank Bill of Exchange, or Bank Post Bill of the Governor and Company of the Bank of *England* or of the Governor and Company of the Bank of *Ireland*, or of any other Body Corporate, Company, or Person carrying on the Business of Bankers, or shall use, or knowingly have in his Custody or Possession, any such Plate, Wood, Stone, or other Material, or any other Instrument or Device for the impressing or making upon any Paper or other Material any Word, Number, Figure, Character, or Ornament which shall resemble or apparently be intended

Engraving on a Plate, &c. any Word, Number, or Device resembling Part of a Bank Note or Bill, or using or having any such Plate, &c., or uttering or having any Paper on which any such Word, &c. is impressed.

intended to resemble any Part of a Bank Note, Bank Bill of Exchange, or Bank Post Bill of the Governor and Company of the Bank of *England* or of the Governor and Company of the Bank of *Ireland*, or of any such other Body Corporate, Company, or Person as aforesaid, or shall knowingly offer, utter, dispose of, or put off, or have in his Custody or Possession, any Paper or other Material upon which there shall be an Impression of any such Matter as aforesaid, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Making or having Mould for making Paper with the Name of any Banker, or making or having such Paper.

18. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall make or use any Frame, Mould, or Instrument for the Manufacture of Paper, with the Name or Firm of any Body Corporate, Company, or Person carrying on the Business of Bankers (other than and except the Banks of *England* and *Ireland* respectively), appearing visible in the Substance of the Paper, or knowingly have in his Custody or Possession any such Frame, Mould, or Instrument, or make, use, sell, expose to Sale, utter, or dispose of, or knowingly have in his Custody or Possession, any Paper in the Substance of which the Name or Firm of any such Body Corporate, Company, or Person shall appear visible, or by any Art or Contrivance cause the Name or Firm of any such Body Corporate, Company, or Person to appear visible in the Substance of the Paper upon which the same shall be written or printed, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Engraving Plates for Foreign Bills or Notes, or using or having such Plates, or uttering Paper on which any Part of any such Bill or Note is printed.

19. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall engrave or in anywise make upon any Plate whatsoever, or upon any Wood, Stone, or other Material, any Bill of Exchange, Promissory Note, Undertaking, or Order for Payment of Money, or any Part of any Bill of Exchange, Promissory Note, Undertaking, or Order for Payment of Money, in whatsoever Language the same may be expressed, and whether the same shall or shall not be or be intended to be under Seal, purporting to be the Bill, Note, Undertaking, or Order, or Part of the Bill, Note, Undertaking, or Order of any Foreign Prince or State, or of any Minister or Officer in the Service of any Foreign Prince or State, or of any Body Corporate or Body of the like Nature, constituted or recognized by any Foreign Prince or State, or of any Person or Company of Persons, resident in any Country not under the Dominion of Her Majesty, or shall use, or knowingly have in his Custody or Possession, any Plate, Stone, Wood, or other Material upon which any such Foreign Bill, Note, Undertaking, or Order, or any Part thereof, shall be engraved or made, or shall knowingly offer, utter, dispose

dispose of, or put off, or have in his Custody or Possession, any Paper upon which any Part of any such Foreign Bill, Note, Undertaking, or Order shall be made or printed, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to forging Deeds, Wills, Bills of Exchange, &c.:—

Forging Deeds, Bonds, &c.

20. Whosoever, with Intent to defraud, shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Deed, or any Bond or Writing Obligatory, or any Assignment at Law or in Equity of any such Bond or Writing Obligatory, or shall forge any Name, Handwriting, or Signature purporting to be the Name, Handwriting, or Signature of a Witness attesting the Execution of any Deed, Bond, or Writing Obligatory, or shall offer, utter, dispose of, or put off any Deed, Bond, or Writing Obligatory having thereon any such forged Name, Handwriting, or Signature, knowing the same to be forged, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Forging Wills.

21. Whosoever, with Intent to defraud, shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Will, Testament, Codicil, or Testamentary Instrument, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Forging Bills of Exchange or Promissory Notes.

22. Whosoever shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Bill of Exchange, or any Acceptance, Indorsement, or Assignment of any Bill of Exchange, or any Promissory Note for the Payment of Money, or any Indorsement or Assignment of any such Promissory Note, with Intent to defraud, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Forging Orders, Receipts, &c. for Money, Goods, &c.

23. Whosoever shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Undertaking, Warrant, Order, Authority, or Request for the Payment of Money, or for the Delivery or Transfer of any Goods or Chattels, or of any Note, Bill, or other Security for the Payment of Money, or for procuring or giving Credit, or any Indorsement on or Assignment of any such Undertaking, Warrant, Order, Authority,

Authority, or Request, or any accountable Receipt, Acquittance, or Receipt for Money or for Goods, or for any Note, Bill, or other Security for the Payment of Money, or any Indorsement on or Assignment of any such accountable Receipt, with Intent, in any of the Cases aforesaid, to defraud, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Making or accepting any Bill, &c. by Procuration, without lawful Authority, or uttering such Bill, &c. with Intent to defraud, Felony.

24. Whosoever, with Intent to defraud, shall draw, make, sign, accept, or indorse any Bill of Exchange or Promissory Note, or any Undertaking, Warrant, Order, Authority, or Request, for the Payment of Money, or for the Delivery or Transfer of Goods or Chattels, or of any Bill, Note, or other Security for Money, by Procuration or otherwise, for, in the Name, or on the Account of any other Person, without lawful Authority or Excuse, or shall offer, utter, dispose of, or put off any such Bill, Note, Undertaking, Warrant, Order, Authority, or Request so drawn, made, signed, accepted, or indorsed by Procuration or otherwise, without lawful Authority or Excuse, as aforesaid, knowing the same to have been so drawn, made, signed, accepted, or indorsed as aforesaid, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Obliterating Crossings on Cheques.

25. Whenever any Cheque or Draft on any Banker shall be crossed with the Name of a Banker, or with Two transverse Lines with the Words "and Company," or any Abbreviation thereof, whosoever shall obliterate, add to, or alter any such Crossing, or shall offer, utter, dispose of, or put off any Cheque or Draft whereon any such Obliteration, Addition, or Alteration has been made, knowing the same to have been made, with Intent, in any of the Cases aforesaid, to defraud, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Forging Debentures.

26. Whosoever shall fraudulently forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or fraudulently altered, any Debenture issued under any lawful Authority whatsoever, either within Her Majesty's Dominions or elsewhere, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Forgery.

As to forging Records, Process, Instruments of Evidence, &c.:—

Forging Proceedings of Courts of Record or Courts of Equity.

27. Whosoever shall forge or fraudulently alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or fraudulently altered, any Record, Writ, Return, Panel, Process, Rule, Order, Warrant, Interrogatory, Deposition, Affidavit, Affirmation, Recognizance, Cognovit actionem, or Warrant of Attorney, or any original Document whatsoever of or belonging to any Court of Record, or any Bill, Petition, Process, Notice, Rule, Answer, Pleading, Interrogatory, Deposition, Affidavit, Affirmation, Report, Order, or Decree, or any original Document whatsoever of or belonging to any Court of Equity or Court of Admiralty in *England* or *Ireland*, or any Document or Writing, or any Copy of any Document or Writing, used or intended to be used as Evidence in any Court in this Section mentioned, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Forging Copies or Certificates of Records, Process of Courts not of Record, and using forged Process.

28. Whosoever, being the Clerk of any Court, or other Officer having the Custody of the Records of any Court, or being the Deputy of any such Clerk or Officer, shall utter any false Copy or Certificate of any Record, knowing the same to be false; and whosoever, other than such Clerk, Officer, or Deputy, shall sign or certify any Copy or Certificate of any Record as such Clerk, Officer, or Deputy; and whosoever shall forge or fraudulently alter, or offer, utter, dispose of, or put off, knowing the same to be forged or fraudulently altered, any Copy or Certificate of any Record, or shall offer, utter, dispose of, or put off any Copy or Certificate of any Record having thereon any false or forged Name, Handwriting, or Signature, knowing the same to be false or forged; and whosoever shall forge the Seal of any Court of Record, or shall forge or fraudulently alter any Process of any Court other than such Courts as in the last preceding Section mentioned, or shall serve or enforce any forged Process of any Court whatsoever, knowing the same to be forged, or shall deliver or cause to be delivered to any Person any Paper falsely purporting to be any such Process, or a Copy thereof, or to be any Judgment, Decree, or Order of any Court of Law or Equity, or a Copy thereof, knowing the same to be false, or shall act or profess to act under any such false Process, knowing the same to be false, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Forging Instruments made Evidence by any Act of Parliament

29. Whosoever shall forge or fraudulently alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or fraudulently altered, any Instrument, whether written or printed,

or partly written and partly printed, which is or shall be made Evidence by any Act passed or to be passed, and for which Offence no Punishment is herein provided, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to forging Court Rolls :—

Forging Court Rolls.

30. Whosoever shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Court Roll or Copy of any Court Roll, relating to any Copyhold or Customary Estate, with Intent to defraud, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life, or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to forging Registers of Deeds :—

Forgery as to the Registry of Deeds.

31. Whosoever shall forge or fraudulently alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or fraudulently altered, any Memorial, Affidavit, Affirmation, Entry, Certificate, Indorsement, Document, or Writing, made or issued under the Provisions of any Act passed or hereafter to be passed for or relating to the Registry of Deeds, or shall forge or counterfeit the Seal of or belonging to any Office for the Registry of Deeds, or any Stamp or Impression of any such Seal ; or shall forge any Name, Handwriting, or Signature purporting to be the Name, Handwriting, or Signature of any Person to any such Memorial, Affidavit, Affirmation, Entry, Certificate, Indorsement, Document, or Writing which shall be required or directed to be signed by or by virtue of any Act passed or to be passed, or shall offer, utter, dispose of, or put off any such Memorial or other Writing as in this Section before mentioned, having thereon any such forged Stamp or Impression of any such Seal, or any such forged Name, Handwriting, or Signature, knowing the same to be forged, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to forging Orders, &c. of Justices of the Peace :—

Forging Orders of Justices, Recognizances, Affidavits, &c.

32. Whosoever, with Intent to defraud, shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Summons, Conviction, Order, or Warrant of any Justice of the Peace, or any Recognizance purporting to have been entered into before any Justice of the Peace, or other Officer authorized to take the same, or any Examination, Deposition, Affidavit, Affirmation, or solemn Declaration, taken or made before any Justice of the Peace, shall be guilty of Felony,

Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to forging the Name of the Accountant General, &c. :—

Forging Name of Accountant General, &c. of Court of Chancery in England or Ireland, or of any Judge of Landed Estates Court, Ireland.

33. Whosoever, with Intent to defraud, shall forge or alter any Certificate, Report, Entry, Indorsement, Declaration of Trust, Note, Direction, Authority, Instrument, or Writing made or purporting or appearing to be made by the Accountant General, or any other Officer of the Court of Chancery in *England* or *Ireland*, or by any Judge or Officer of the Landed Estates Court in *Ireland*, or by any Officer of any Court in *England* or *Ireland*, or by any Cashier or other Officer or Clerk of the Governor and Company of the Bank of *England* or *Ireland*, or the Name, Handwriting, or Signature of any such Accountant General, Judge, Cashier, Officer, or Clerk as aforesaid, or shall offer, utter, dispose of, or put off any such Certificate, Report, Entry, Indorsement, Declaration of Trust, Note, Direction, Authority, Instrument, or Writing, knowing the same to be forged or altered, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to falsely acknowledging Recognizances, &c. :—

Acknowledging Recognizance, Bail, Cognovit, &c. in the Name of another.

34. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall, in the Name of any other Person, acknowledge any Recognizance or Bail, or any Cognovit actionem, or Judgment, or any Deed or other Instrument, before any Court, Judge, or other Person lawfully authorized in that Behalf, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to forging Marriage Licences :—

Forging or uttering Marriage Licence or Certificate.

35. Whosoever shall forge or fraudulently alter any Licence of or Certificate for Marriage, or shall offer, utter, dispose of, or put off any such Licence or Certificate, knowing the same to be forged or fraudulently altered, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to forging Registers of Births, Marriages, and Deaths :—

Forging Registers of Births, Baptisms, Mar-

36. Whosoever shall unlawfully destroy, deface, or injure, or cause or permit to be destroyed, defaced, or injured, any Register of Births, Baptisms, Marriages, Deaths, or Burials which now is

riages, Deaths, or Burials.

or hereafter shall be by Law authorized or required to be kept in *England* or *Ireland*, or any Part of any such Register, or any certified Copy of any such Register, or any Part thereof, or shall forge or fraudulently alter in any such Register any Entry relating to any Birth, Baptism, Marriage, Death, or Burial, or any Part of any such Register, or any certified Copy of such Register, or of any Part thereof, or shall knowingly and unlawfully insert or cause or permit to be inserted in any such Register, or in any certified Copy thereof, any false Entry of any Matter relating to any Birth, Baptism, Marriage, Death, or Burial, or shall knowingly and unlawfully give any false Certificate relating to any Birth, Baptism, Marriage, Death, or Burial, or shall certify any Writing to be a Copy or Extract from any such Register, knowing such Writing, or the Part of such Register whereof such Copy or Extract shall be so given, to be false in any material Particular, or shall forge or counterfeit the Seal of or belonging to any Register Office or Burial Board, or shall offer, utter, dispose of, or put off any such Register, Entry, certified Copy, Certificate, or Seal, knowing the same to be false, forged, or altered, or shall offer, utter, dispose of, or put off any Copy of any Entry in any such Register, knowing such Entry to be false, forged, or altered, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Making false Entries in Copies of Register sent to Registrar.

37. Whosoever shall knowingly and wilfully insert or cause or permit to be inserted in any Copy of any Register directed or required by Law to be transmitted to any Registrar or other Officer any false Entry of any Matter relating to any Baptism, Marriage, or Burial, or shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Copy of any Register so directed or required to be transmitted as aforesaid, or shall knowingly and wilfully sign or verify any Copy of any Register so directed or required to be transmitted as aforesaid, which Copy shall be false in any Part thereof, knowing the same to be false, or shall unlawfully destroy, deface, or injure, or shall for any fraudulent Purpose take from its Place of Deposit, or conceal, any such Copy of any Register, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Demanding Property upon forged Instruments.

As to demanding Property upon forged Instruments:—

38. Whosoever, with Intent to defraud, shall demand, receive, or obtain, or cause or procure to be delivered or paid to any Person, or endeavour to receive or obtain, or to cause or procure to be delivered or paid to any Person, any Chattel, Money, Security for Money, or other Property whatsoever, under, upon, or by virtue of any forged or altered Instrument whatsoever, knowing the same to be forged or altered, or under, upon, or by

virtue

virtue of any Probate or Letters of Administration, knowing the Will, Testament, Codicil, or Testamentary Writing on which such Probate or Letters of Administration shall have been obtained to have been forged or altered, or knowing such Probate or Letters of Administration to have been obtained by any false Oath, Affirmation, or Affidavit, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

As to other Matters :—

Forging any Instrument, however designated, which is in Law a Will, Bill of Exchange, &c.

39. Where by this or by any other Act any Person is or shall hereafter be made liable to Punishment for forging or altering, or for offering, uttering, disposing of, or putting off, knowing the same to be forged or altered, any Instrument or Writing designated in such Act by any special Name or Description, and such Instrument or Writing, however designated, shall be in Law a Will, Testament, Codicil, or Testamentary Writing, or a Deed, Bond, or Writing Obligatory, or a Bill of Exchange, or a Promissory Note for the Payment of Money, or an Indorsement on or Assignment of a Bill of Exchange or Promissory Note for the Payment of Money, or an Acceptance of a Bill of Exchange, or an Undertaking, Warrant, Order, Authority, or Request for the Payment of Money, or an Indorsement on or Assignment of an Undertaking, Warrant, Order, Authority, or Request for the Payment of Money, within the true Intent and Meaning of this Act, in every such Case the Person forging or altering such Instrument or Writing, or offering, uttering, disposing of, or putting off such Instrument or Writing, knowing the same to be forged or altered, may be indicted as an Offender against this Act, and punished accordingly.

Forging, &c. in England or Ireland Documents purporting to be made, or actually made, out of England and Ireland, forging, &c. in England or Ireland Bills, &c. purporting to be payable out of England or Ireland.

40. Where the forging or altering any Writing or Matter whatsoever, or the offering, uttering, disposing of, or putting off any Writing or Matter whatsoever, knowing the same to be forged or altered, is in this Act expressed to be an Offence, if any Person shall, in *England* or *Ireland*, forge or alter, or offer, utter, dispose of, or put off, knowing the same to be forged or altered, any such Writing or Matter in whatsoever Place or Country out of *England* and *Ireland*, whether under the Dominion of Her Majesty or not, such Writing or Matter may purport to be made or may have been made, and in whatever Language the same or any Part thereof may be expressed, every such Person, and every Person aiding, abetting, or counselling such Person, shall be deemed to be an Offender within the Meaning of this Act, and shall be punishable thereby in the same Manner as if the Writing or Matter had purported to be made or had been made in *England* or *Ireland;* and if any Person shall in *England* or *Ireland* forge or alter, or offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Bill of Exchange, or any Promissory Note for the Payment of Money, or any Indorsement on or Assignment of any Bill of Exchange or Promissory Note for the

Payment of Money, or any Acceptance of any Bill of Exchange, or any Undertaking, Warrant, Order, Authority, or Request for the Payment of Money, or for the Delivery or Transfer of any Goods or Security, or any Deed, Bond, or Writing Obligatory for the Payment of Money (whether such Deed, Bond, or Writing Obligatory shall be made only for the Payment of Money, or for the Payment of Money together with some other Purpose), or any Indorsement on or Assignment of any such Undertaking, Warrant, Order, Authority, Request, Deed, Bond, or Writing Obligatory, in whatsoever Place or Country out of *England* and *Ireland*, whether under the Dominion of Her Majesty or not, the Money payable or secured by such Bill, Note, Undertaking, Warrant, Order, Authority, Request, Deed, Bond, or Writing Obligatory may be or may purport to be payable, and in whatever Language the same respectively or any Part thereof may be expressed, and whether such Bill, Note, Undertaking, Warrant, Order, Authority, or Request be or be not under Seal, every such Person, and every Person aiding, abetting, or counselling such Person, shall be deemed to be an Offender within the Meaning of this Act, and shall be punishable thereby in the same Manner as if the Money had been payable or had purported to be payable in *England* or *Ireland*.

Forgers, &c. may be tried in the County where they are apprehended or are in Custody.

41. If any Person shall commit any Offence against this Act, or shall commit any Offence of forging or altering any Matter whatsoever, or of offering, uttering, disposing of, or putting off any Matter whatsoever, knowing the same to be forged or altered, whether the Offence in any such Case shall be indictable at Common Law, or by virtue of any Act passed or to be passed, every such Offender may be dealt with, indicted, tried, and punished, in any County or Place in which he shall be apprehended or be in Custody, in the same Manner in all respects as if his Offence had been actually committed in that County or Place; and every Accessory before or after the Fact to any such Offence, if the same be a Felony, and every Person aiding, abetting, or counselling the Commission of any such Offence, if the same be a Misdemeanor, may be dealt with, indicted, tried, and punished, in any County or Place in which he shall be apprehended or be in Custody, in the same Manner in all respects as if his Offence, and the Offence of his Principal, had been actually committed in such County or Place.

Description of Instrument in Indictments for Forgery.

42. In any Indictment for forging, altering, offering, uttering, disposing, or putting off any Instrument it shall be sufficient to describe such Instrument by any Name or Designation by which the same may be usually known, or by the Purport thereof, without setting out any Copy or Fac-simile thereof, or otherwise describing the same or the Value thereof.

Description of Instrument in Indictments for engraving, &c.

43. In any Indictment for engraving or making the whole or any Part of any Instrument, Matter, or Thing whatsoever, or for using or having the unlawful Custody or Possession of any Plate or other Material upon which the whole or any Part of any Instrument, Matter, or Thing whatsoever shall have been engraved or made, or for having the unlawful Custody or Possession of any Paper

Paper upon which the whole or any Part of any Instrument, Matter, or Thing whatsoever shall have been made or printed, it shall be sufficient to describe such Instrument, Matter, or Thing by any Name or Designation by which the same may be usually known, without setting out any Copy or Fac-simile of the whole or any Part of such Instrument, Matter, or Thing.

Intent to defraud particular Persons need not be alleged or proved.

44. It shall be sufficient, in any Indictment for forging, altering, uttering, offering, disposing of, or putting off any Instrument whatsoever, where it shall be necessary to allege an Intent to defraud, to allege that the Party accused did the Act with Intent to defraud, without alleging an Intent to defraud any particular Person; and on the Trial of any such Offence it shall not be necessary to prove an Intent to defraud any particular Person, but it shall be sufficient to prove that the Party accused did the Act charged with an Intent to defraud.

Interpretation as to criminal Possession.

45. Where the having any Matter in the Custody or Possession of any Person is in this Act expressed to be an Offence, if any Person shall have any such Matter in his personal Custody or Possession, or shall knowingly and wilfully have any such Matter in the actual Custody or Possession of any other Person, or shall knowingly and wilfully have any such Matter in any Dwelling House or other Building, Lodging, Apartment, Field, or other Place, open or inclosed, whether belonging to or occupied by himself or not, and whether such Matter shall be so had for his own Use or for the Use or Benefit of another, every such Person shall be deemed and taken to have such Matter in his Custody or Possession within the Meaning of this Act.

Search for Paper or Implements employed in any Forgery, and for forged Instruments.

46. If it shall be made to appear, by Information on Oath or Affirmation before a Justice of the Peace, that there is reasonable Cause to believe that any Person has in his Custody or Possession, without lawful Authority or Excuse, any Note or Bill of the Governor and Company of the Bank of *England* or *Ireland*, or of any Body Corporate, Company, or Person carrying on the Business of Bankers, or any Frame, Mould, or Implement for making Paper in imitation of the Paper used for such Notes or Bills, or any such Paper, or any Plate, Wood, Stone, or other Material having thereon any Words, Forms, Devices, or Characters capable of producing or intended to produce the Impression of any such Note or Bill, or any Part thereof, or any Tool, Implement, or Material used or employed or intended to be used or employed in or about any of the Operations aforesaid, or any forged Security, Document, or Instrument whatsoever, or any Machinery, Frame, Mould, Plate, Die, Seal, Paper, or other Matter or Thing used or employed or intended to be used or employed in the Forgery of any Security, Document, or Instrument whatsoever, such Justice may, if he think fit, grant a Warrant to search for the same; and if the same shall be found upon such Search, it shall be lawful to seize and carry the same before some Justice of the County or Place, to be by him disposed of according to Law; and all such Matters and Things so seized as aforesaid shall by Order of the Court where any such Offender shall be tried, or in case there shall be no such Trial then by Order of

of some Justice of the Peace, be defaced and destroyed or otherwise disposed of as such Court or Justice shall direct.

Other Punishments substituted for those of 5 Eliz. c. 14.

47. Whosoever shall, after the Commencement of this Act, be convicted of any Offence which shall have been subjected by any Act or Acts to the same Pains and Penalties as are imposed by the Act passed in the Fifth Year of the Reign of Queen *Elizabeth*, intituled *An Act against Forgers of false Deeds and Writings*, for any of the Offences first enumerated in the said Act, shall be guilty of Felony, and shall, in lieu of such Pains and Penalties, be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

All Forgeries which were Capital before the 1 W. 4. c. 66. and are not otherwise punishable under this Act, shall be punished with Penal Servitude for Life, &c.

48. Where by any Act now in force any Person falsely making, forging, counterfeiting, erasing, or altering any Matter whatsoever, or uttering, publishing, offering, disposing of, putting away, or making use of any Matter whatsoever, knowing the same to have been falsely made, forged, counterfeited, erased, or altered, or any Person demanding or endeavouring to receive or have any Thing, or to do or cause to be done any Act, upon or by virtue of any Matter whatsoever, knowing such Matter to have been falsely made, forged, counterfeited, erased, or altered, would, according to the Provisions contained in any such Act, be guilty of Felony, and would, before the passing of the Act of the First Year of King *William* the Fourth, Chapter Sixty-six, have been liable to suffer Death as a Felon; or where by any Act now in force any Person falsely personating another, or falsely acknowledging any Thing in the Name of another, or falsely representing any other Person than the real Party to be such real Party, or wilfully making a false Entry in any Book, Account, or Document, or in any Manner wilfully falsifying any Part of any Book, Account, or Document, or wilfully making a Transfer of any Stock, Annuity, or Fund in the Name of any Person not being the Owner thereof, or knowingly taking any false Oath, or knowingly making any false Affidavit or false Affirmation, or demanding or receiving any Money or other Thing by virtue of any Probate or Letters of Administration, knowing the Will on which such Probate shall have been obtained to have been false or forged, or knowing such Probate or Letters of Administration to have been obtained by means of any false Oath or false Affirmation, would, according to the Provisions contained in any such Act, be guilty of Felony, and would before the passing of the said Act of the First Year of King *William* the Fourth have been liable to suffer Death as a Felon; or where by any Act now in force any Person making or using, or knowingly having in his Custody or Possession, any Frame, Mould, or Instrument for the making of Paper, with certain Words visible in the Substance thereof, or any Person making such Paper, or causing certain Words to appear visible in the Substance of any Paper, would, according to the Provisions contained in any such Act, be guilty of Felony, and would before the passing of the said Act of the First

First Year of King *William* the Fourth have been liable to suffer Death as a Felon; then, and in each of the several Cases aforesaid, if any Person shall after the Commencement of this Act be convicted of any such Felony as is herein-before in this Section mentioned, or of aiding, abetting, counselling, or procuring the Commission thereof, and the same shall not be punishable under any of the other Provisions of this Act, every such Person shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Principals in the Second Degree and Accessories.

49. In the Case of every Felony punishable under this Act, every Principal in the Second Degree, and every Accessory before the Fact, shall be punishable in the same Manner as the Principal in the First Degree is by this Act punishable; and every Accessory after the Fact to any Felony punishable under this Act shall on Conviction be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement; and every Person who shall aid, abet, counsel, or procure the Commission of any Misdemeanor punishable under this Act shall be liable to be proceeded against, indicted, and punished as a principal Offender.

Abettors in Misdemeanors.

Offences committed within the Jurisdiction of the Admiralty.

50. All indictable Offences mentioned in this Act which shall be committed within the Jurisdiction of the Admiralty of *England* or *Ireland* shall be deemed to be Offences of the same Nature and liable to the same Punishments as if they had been committed upon the Land in *England* or *Ireland*, and may be dealt with, inquired of, tried, and determined in any County or Place in *England* or *Ireland* in which the Offender shall be apprehended or be in Custody, in the same Manner in all respects as if they had been actually committed in that County or Place; and in any Indictment for any such Offence, or for being an Accessory to such an Offence, the Venue in the Margin shall be the same as if the Offence had been committed in such County or Place, and the Offence shall be averred to have been committed on "the High Seas;" provided that nothing herein contained shall alter or affect any of the Laws relating to the Government of Her Majesty's Land or Naval Forces.

Fine and Sureties for keeping the Peace; in what Cases.

51. Whenever any Person shall be convicted of a Misdemeanor under this Act it shall be lawful for the Court, if it shall think fit, in addition to or in lieu of any of the Punishments by this Act authorized, to fine the Offender, and to require him to enter into his own Recognizances, and to find Sureties, both or either, for keeping the Peace and being of good Behaviour; and in all Cases of Felonies in this Act mentioned it shall be lawful for the Court, if it shall think fit, to require the Offender to enter into his own Recognizances, and to find Sureties, both or either, for keeping the Peace, in addition to any of the Punishments by this Act authorized; provided that no Person shall be imprisoned under this

this Clause for not finding Sureties for any Period exceeding One Year.

Hard Labour.

52. Whenever Imprisonment, with or without Hard Labour, may be awarded for any Offence under this Act, the Court may sentence the Offender to be imprisoned, or to be imprisoned and kept to Hard Labour, in the Common Gaol or House of Correction.

Solitary Confinement.

53. Whenever Solitary Confinement may be awarded for any Offence under this Act, the Court may direct the Offender to be kept in Solitary Confinement for any Portion or Portions of his Imprisonment, or of his Imprisonment with Hard Labour, not exceeding One Month at any One Time, and not exceeding Three Months in any One Year.

Costs of Prosecution of Misdemeanor may be allowed.

54. The Court before which any indictable Misdemeanor against this Act shall be prosecuted or tried may allow the Costs of the Prosecution in the same Manner as in Cases of Felony; and every Order for the Payment of such Costs shall be made out, and the Sum of Money mentioned therein paid and repaid, upon the same Terms and in the same Manner in all respects as in Cases of Felony.

Extent of Act.

55. Nothing in this Act contained shall extend to *Scotland*, except as otherwise herein-before expressly provided.

Commencement of Act.

56. This Act shall commence and take effect on the First Day of *November* One thousand eight hundred and sixty-one.

CAP. XCIX.

An Act to consolidate and amend the Statute Law of the United Kingdom against Offences relating to the Coin.

[6th *August* 1861.]

'WHEREAS it is expedient to consolidate and amend the 'Statute Law of the United Kingdom against Offences 'relating to the Coin:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpretation of Terms.

Current Gold and Silver Coin.

Copper Coin.

False or counterfeit Coin.

1. In the Interpretation of and for the Purposes of this Act, the Expression "the Queen's current Gold or Silver Coin" shall include any Gold or Silver Coin coined in any of Her Majesty's Mints, or lawfully current, by virtue of any Proclamation or otherwise, in any Part of Her Majesty's Dominions, whether within the United Kingdom or otherwise; and the Expression "the Queen's Copper Coin" shall include any Copper Coin and any Coin of Bronze or mixed Metal coined in any of Her Majesty's Mints, or lawfully current, by virtue of any Proclamation or otherwise, in any Part of Her Majesty's said Dominions; and the Expression "false or counterfeit Coin resembling or apparently intended to resemble or pass for any of the Queen's current Gold or Silver Coin" shall include any of the current Coin which shall have been gilt, silvered, washed, coloured, or cased over, or in any Manner altered, so as to resemble or be apparently

apparently intended to resemble or pass for any of the Queen's current Coin of a higher Denomination; and the Expression "the Queen's current Coin" shall include any Coin coined in any of Her Majesty's Mints, or lawfully current, by virtue of any Proclamation or otherwise, in any Part of Her Majesty's said Dominions, and whether made of Gold, Silver, Copper, Bronze, or mixed Metal; and where the having any Matter in the Custody or Possession of any Person is mentioned in this Act, it shall include, not only the having of it by himself in his personal Custody or Possession, but also the knowingly and wilfully having it in the actual Custody or Possession of any other Person, and also the knowingly and wilfully having it in any Dwelling House or other Building, Lodging, Apartment, Field, or other Place, open or inclosed, whether belonging to or occupied by himself or not, and whether such Matter shall be so had for his own Use or Benefit or for that of any other Person.

Current Coin.

What shall be Possession.

2. Whosoever shall falsely make or counterfeit any Coin resembling or apparently intended to resemble or pass for any of the Queen's current Gold or Silver Coin, shall, in *England* and *Ireland*, be guilty of Felony, and in *Scotland* of a high Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Counterfeiting the Gold or Silver Coin.

3. Whosoever shall gild or silver, or shall, with any Wash or Materials capable of producing the Colour or Appearance of Gold or of Silver, or by any Means whatsoever, wash, case over, or colour any Coin whatsoever resembling or apparently intended to resemble or pass for any of the Queen's current Gold or Silver Coin; or shall gild or silver, or shall, with any Wash or Materials capable of producing the Colour or Appearance of Gold or of Silver, or by any Means whatsoever, wash, case over, or colour any Piece of Silver or Copper, or of coarse Gold or coarse Silver, or of any Metal or Mixture of Metals respectively, being of a fit Size and Figure to be coined, and with Intent that the same shall be coined into false and counterfeit Coin resembling or apparently intended to resemble or pass for any of the Queen's current Gold or Silver Coin; or shall gild, or shall, with any Wash or Materials capable of producing the Colour or Appearance of Gold, or by any Means whatsoever, wash, case over, or colour any of the Queen's current Silver Coin, or file or in any Manner alter such Coin, with Intent to make the same resemble or pass for any of the Queen's current Gold Coin; or shall gild or silver, or shall, with any Wash or Materials capable of producing the Colour or Appearance of Gold or Silver, or by any Means whatsoever, wash, case over, or colour any of the Queen's current Copper Coin, or file or in any Manner alter such Coin, with Intent to make the same resemble or pass for any of the Queen's current Gold or Silver Coin, shall, in *England* and *Ireland*, be guilty of Felony, and in *Scotland* of a high Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in

Colouring counterfeit Coin or any Pieces of Metal with Intent to make them pass for Gold or Silver Coin.

Colouring or altering genuine Coin with Intent to make it pass for a higher Coin.

in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Impairing the Gold or Silver Coin with Intent, &c.

4. Whosoever shall impair, diminish, or lighten any of the Queen's current Gold or Silver Coin, with Intent that the Coin so impaired, diminished, or lightened may pass for the Queen's current Gold or Silver Coin, shall, in *England* and *Ireland*, be guilty of Felony, and in *Scotland* of a high Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Unlawful Possession of Filings or Clippings of Gold or Silver Coin.

5. Whosoever shall unlawfully have in his Custody or Possession any Filings or Clippings, or any Gold or Silver Bullion, or any Gold or Silver in Dust, Solution, or otherwise, which shall have been produced or obtained by impairing, diminishing, or lightening any of the Queen's current Gold or Silver Coin, knowing the same to have been so produced or obtained, shall, in *England* and *Ireland*, be guilty of Felony, and in *Scotland* of a high Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Buying or selling, &c. counterfeit Gold or Silver Coin for lower Value than its Denomination.

6. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall buy, sell, receive, pay, or put off, or offer to buy, sell, receive, pay, or put off, any false or counterfeit Coin resembling or apparently intended to resemble or pass for any of the Queen's current Gold or Silver Coin at or for a lower Rate or Value than the same imports or was apparently intended to import, shall, in *England* and *Ireland*, be guilty of Felony, and in *Scotland* of a high Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement; and in any Indictment for any such Offence as in this Section aforesaid it shall be sufficient to allege that the Party accused did buy, sell, receive, pay, or put off, or did offer to buy, sell, receive, pay, or put off, the false or counterfeit Coin at or for a lower Rate or Value than the same imports or was apparently intended to import, without alleging at or for what Rate, Price, or Value the same was bought, sold, received, paid, or put off, or offered to be bought, sold, received, paid, or put off.

Importing counterfeit Coin from beyond Seas.

7. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall import or receive into the United Kingdom from beyond the Seas any false or counterfeit Coin resembling or apparently intended to resemble or

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pass for any of the Queen's current Gold or Silver Coin, knowing the same to be false or counterfeit, shall, in *England* and *Ireland*, be guilty of Felony, and in *Scotland* of a high Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Exporting counterfeit Coin.

8. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall export or put on board any Ship, Vessel, or Boat for the Purpose of being exported from the United Kingdom, any false or counterfeit Coin, resembling or apparently intended to resemble or pass for any of the Queen's current Coin, knowing the same to be false or counterfeit, shall, in *England* and *Ireland*, be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Uttering counterfeit Gold or Silver Coin.

9. Whosoever shall tender, utter, or put off any false or counterfeit Coin resembling or apparently intended to resemble or pass for any of the Queen's current Gold or Silver Coin, knowing the same to be false or counterfeit, shall, in *England* and *Ireland*, be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding One Year, with or without Hard Labour, and with or without Solitary Confinement.

Uttering, accompanied by Possession of other counterfeit Coin, or followed by a Second Uttering.

10. Whosoever shall tender, utter, or put off any false or counterfeit Coin resembling or apparently intended to resemble or pass for any of the Queen's current Gold or Silver Coin, knowing the same to be false or counterfeit, and shall, at the Time of such tendering, uttering, or putting off, have in his Custody or Possession, besides the false or counterfeit Coin so tendered, uttered, or put off, any other Piece of false or counterfeit Coin resembling or apparently intended to resemble or pass for any of the Queen's current Gold or Silver Coin, or shall, either on the Day of such tendering, uttering, or putting off, or within the Space of Ten Days then next ensuing, tender, utter, or put off any false or counterfeit Coin resembling or apparently intended to resemble or pass for any of the Queen's current Gold or Silver Coin, knowing the same to be false or counterfeit, shall, in *England* and *Ireland*, be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Having Three or more Pieces of counterfeit Gold or Silver Coin in possession, &c. with Intent, &c.

11. Whosoever shall have in his Custody or Possession Three or more Pieces of false or counterfeit Coin resembling or apparently intended to resemble or pass for any of the Queen's current Gold or Silver Coin, knowing the same to be false or counterfeit, and with Intent to utter or put off the same or any of them, shall, in

in *England* and *Ireland*, be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Every Second Offence of uttering, &c. after a previous Conviction shall be Felony.

12. Whosoever, having been convicted, either before or after the passing of this Act, of any such Misdemeanor or Crime and Offence as in any of the last Three preceding Sections mentioned, or of any Felony or high Crime and Offence against this or any former Act relating to the Coin, shall afterwards commit any of the Misdemeanors or Crimes and Offences in any of the said Sections mentioned, shall, in *England* and *Ireland*, be guilty of Felony, and in *Scotland* of a high Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Uttering Foreign Coin, Medals, &c. as current Coin, with Intent to defraud.

13. Whosoever shall, with Intent to defraud, tender, utter, or put off as or for any of the Queen's current Gold or Silver Coin, any Coin not being such current Gold or Silver Coin, or any Medal or Piece of Metal or mixed Metals, resembling in Size, Figure, and Colour the current Coin as or for which the same shall be so tendered, uttered, or put off, such Coin, Medal, or Piece of Metal or mixed Metals so tendered, uttered, or put off being of less Value than the current Coin as or for which the same shall be so tendered, uttered, or put off, shall, in *England* and *Ireland*, be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding One Year, with or without Hard Labour, and with or without Solitary Confinement.

Counterfeiting, &c. Copper Coin.

14. Whosoever shall falsely make or counterfeit any Coin resembling or apparently intended to resemble or pass for any of the Queen's current Copper Coin; and whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall knowingly make or mend, or begin or proceed to make or mend, or buy or sell, or have in his Custody or Possession, any Instrument, Tool, or Engine adapted and intended for the counterfeiting any of the Queen's current Copper Coin; or shall buy, sell, receive, pay, or put off, or offer to buy, sell, receive, pay, or put off, any false or counterfeit Coin resembling or apparently intended to resemble or pass for any of the Queen's current Copper Coin, at or for a lower Rate or Value than the same imports or was apparently intended to import, shall, in *England* and *Ireland*, be guilty of Felony, and in *Scotland* of a high Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years, —or to be imprisoned for any Term not exceeding Two Years, with

with or without Hard Labour, and with or without Solitary Confinement.

Uttering base Copper Coin.

15. Whosoever shall tender, utter, or put off any false or counterfeit Coin resembling or apparently intended to resemble or pass for any of the Queen's current Copper Coin, knowing the same to be false or counterfeit, or shall have in his Custody or Possession Three or more Pieces of false or counterfeit Coin resembling or apparently intended to resemble or pass for any of the Queen's current Copper Coin, knowing the same to be false or counterfeit, and with Intent to utter or put off the same or any of them, shall, in *England* and *Ireland*, be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding One Year, with or without Hard Labour, and with or without Solitary Confinement.

Defacing the Coin by stamping Words thereon.

16. Whosoever shall deface any of the Queen's current Gold, Silver, or Copper Coin, by stamping thereon any Names or Words, whether such Coin shall or shall not be thereby diminished or lightened, shall, in *England* and *Ireland*, be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding One Year, with or without Hard Labour.

Tender of Coin so defaced not to be a legal Tender, and Penalty for uttering the same.

17. No Tender of Payment in Money made in any Gold, Silver, or Copper Coin so defaced by stamping as in the last preceding Section mentioned shall be allowed to be a legal Tender; and whosoever shall tender, utter, or put off any Coin so defaced shall, on Conviction thereof before Two Justices, be liable to forfeit and pay any Sum not exceeding Forty Shillings: Provided that it shall not be lawful for any Person to proceed for any such last-mentioned Penalty without the Consent, in *England* or *Ireland*, of Her Majesty's Attorney General for *England* or *Ireland* respectively, or in *Scotland* of the Lord Advocate.

Counterfeiting Foreign Gold and Silver Coin.

18. Whosoever shall make or counterfeit any Kind of Coin not being the Queen's current Gold or Silver Coin, but resembling or apparently intended to resemble or pass for any Gold or Silver Coin of any Foreign Prince, State, or Country, shall, in *England* and *Ireland*, be guilty of Felony, and in *Scotland* of a high Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Bringing such counterfeit Coin into the United Kingdom.

19. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall bring or receive into the United Kingdom any such false or counterfeit Coin resembling or apparently intended to resemble or pass for any Gold or Silver Coin of any Foreign Prince, State, or Country, knowing the same to be false or counterfeit, shall, in *England* and *Ireland*, be guilty of Felony, and in *Scotland* of a high Crime and Offence,

and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Penalty for uttering such counterfeit Coin.

20. Whosoever shall tender, utter, or put off any such false or counterfeit Coin resembling or apparently intended to resemble or pass for any Gold or Silver Coin of any Foreign Prince, State, or Country, knowing the same to be false or counterfeit, shall, in *England* and *Ireland*, be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Six Months, with or without Hard Labour.

Second Offence of uttering counterfeit Foreign Coin.

21. Whosoever, having been so convicted as in the last preceding Section mentioned, shall afterwards commit the like Offence of tendering, uttering, or putting off any such false or counterfeit Coin as aforesaid, knowing the same to be false or counterfeit, shall, in *England* and *Ireland*, be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement;

Third Offence.

and whosoever, having been so convicted of a Second Offence, shall afterwards commit the like Offence of tendering, uttering, or putting off any such false or counterfeit Coin as aforesaid, knowing the same to be false or counterfeit, shall, in *England* and *Ireland*, be guilty of Felony, and in *Scotland* of a high Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Persons counterfeiting Foreign Coin other than Gold and Silver Coin.

22. Whosoever shall falsely make or counterfeit any Kind of Coin not being the Queen's current Coin, but resembling or apparently intended to resemble or pass for any Copper Coin, or any other Coin made of any Metal or mixed Metals of less Value than the Silver Coin of any Foreign Prince, State, or Country, shall, in *England* and *Ireland*, be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, for the First Offence to be imprisoned for any Term not exceeding One Year, and for the Second Offence to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years, —or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Penalty on Persons having more than Five Pieces of such counterfeit Foreign Coin

23. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall have in his Custody or Possession any greater Number of Pieces than Five Pieces of false or counterfeit Coin resembling or apparently intended to resemble or pass for any Gold or Silver Coin of any

Foreign

Foreign Prince, State, or Country, or any such Copper or other Coin as in the last preceding Section mentioned, shall, on Conviction thereof before any Justice of the Peace, forfeit and lose all such false and counterfeit Coin, which shall be cut in Pieces and destroyed by Order of such Justice, and shall for every such Offence forfeit and pay any Sum of Money not exceeding Forty Shillings nor less than Ten Shillings for every such Piece of false and counterfeit Coin which shall be found in the Custody or Possession of such Person, one Moiety to the Informer, and the other Moiety to the Poor of the Parish where such Offence shall be committed; and in case any such Penalty shall not be forthwith paid, it shall be lawful for any such Justice to commit the Person who shall have been adjudged to pay the same to the Common Gaol or House of Correction, there to be kept to Hard Labour for the Space of Three Months, or until such Penalty shall be paid. in their Possession.

Making, mending, or having Possession of any Coining Tools, Felony.

24. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall knowingly make or mend, or begin or proceed to make or mend, or buy or sell, or have in his Custody or Possession, any Puncheon, Counter Puncheon, Matrix, Stamp, Die, Pattern, or Mould, in or upon which there shall be made or impressed, or which will make or impress, or which shall be adapted and intended to make or impress, the Figure, Stamp, or apparent Resemblance of both or either of the Sides of any of the Queen's current Gold or Silver Coin, or of any Coin of any Foreign Prince, State, or Country, or any Part or Parts of both or either of such Sides; or shall make or mend, or begin or proceed to make or mend, or shall buy or sell, or have in his Custody or Possession, any Edger, Edging or other Tool, Collar, Instrument, or Engine adapted and intended for the marking of Coin round the Edges with Letters, Grainings, or other Marks or Figures apparently resembling those on the Edges of any such Coin as in this Section aforesaid, knowing the same to be so adapted and intended as aforesaid; or shall make or mend, or begin or proceed to make or mend, or shall buy or sell, or have in his Custody or Possession, any Press for Coinage, or any Cutting Engine for cutting by force of a Screw or of any other Contrivance, round Blanks out of Gold, Silver, or other Metal or Mixture of Metals, or any other Machine, knowing such Press to be a Press for Coinage, or knowing such Engine or Machine to have been used or to be intended to be used for or in order to the false making or counterfeiting of any such Coin as in this Section aforesaid, shall, in *England* and *Ireland*, be guilty of Felony, and in *Scotland* of a high Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Conveying Tools or Monies out of the Mint out of Felo

25. Whosoever, without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused), shall knowingly convey out of any of Her Majesty's Mints any Puncheon, Counter Puncheon, Matrix, Stamp, Die, Pattern, Mould, Edger, Edging or other

other Tool, Collar, Instrument, Press, or Engine used or employed in or about the coining of Coin, or any useful Part of any of the several Matters aforesaid, or any Coin, Bullion, Metal, or Mixture of Metals, shall, in *England* and *Ireland*, be guilty of Felony, and in *Scotland* of a high Crime and Offence, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Coin suspected to be diminished or counterfeit may be cut by any Person to whom it is tendered.

Who shall bear the Loss.

26. Where any Coin shall be tendered as the Queen's current Gold or Silver Coin to any Person who shall suspect the same to be diminished otherwise than by reasonable wearing, or to be counterfeit, it shall be lawful for such Person to cut, break, bend, or deface such Coin, and if any Coin so cut, broken, bent, or defaced shall appear to be diminished otherwise than by reasonable wearing, or to be counterfeit, the Person tendering the same shall bear the Loss thereof; but if the same shall be of due Weight, and shall appear to be lawful Coin, the Person cutting, breaking, bending, or defacing the same is hereby required to receive the same at the Rate it was coined for; and if any Dispute shall arise whether the Coin so cut, broken, bent, or defaced be diminished in manner aforesaid, or counterfeit, it shall be heard and finally determined in a summary Manner by any Justice of the Peace, who is hereby empowered to examine upon Oath as well the Parties as any other Person, in order to the Decision of such Dispute; and the Tellers at the Receipt of Her Majesty's Exchequer, and their Deputies and Clerks, and the Receivers General of every Branch of Her Majesty's Revenue, are hereby required to cut, break, or deface, or cause to be cut, broken, or defaced every Piece of Counterfeit or unlawfully diminished Gold or Silver Coin which shall be tendered to them in Payment of any Part of Her Majesty's Revenue.

Provision for the Discovery and Seizure of counterfeit Coin and Coining Tools, for securing them as Evidence, and for ultimately disposing of them.

27. If any Person shall find or discover in any Place whatever, or in the Custody or Possession of any Person having the same without lawful Authority or Excuse, any false or counterfeit Coin, resembling or apparently intended to resemble or pass for any of the Queen's current Gold, Silver, or Copper Coin, or any Coin of any Foreign Prince, State, or Country, or any Instrument, Tool, or Engine whatsoever, adapted and intended for the counterfeiting of any such Coin, or any Filings or Clippings, or any Gold or Silver Bullion, or any Gold or Silver in Dust, Solution, or otherwise, which shall have been produced or obtained by diminishing or lightening any of the Queen's current Gold or Silver Coin, it shall be lawful for the Person so finding or discovering and he is hereby required to seize the same, and to carry the same forthwith before some Justice of the Peace; and where it shall be proved, on the Oath of a credible Witness before any Justice of the Peace, that there is reasonable Cause to suspect that any Person has been concerned in counterfeiting the Queen's current Gold, Silver, or Copper Coin, or any such Foreign or other Coin as in this Act before mentioned, or has in his Custody or Possession any such false

false or counterfeit Coin, or any Instrument, Tool, or Engine whatsoever adapted and intended for the making or counterfeiting of any such Coin, or any other Machine used or intended to be used for making or counterfeiting any such Coin, or any such Filings, Clippings, or Bullion, or any such Gold or Silver in Dust, Solution, or otherwise as aforesaid, it shall be lawful for any Justice of the Peace, by Warrant under his Hand, to cause any Place whatsoever belonging to or in the Occupation or under the Control of such suspected Person to be searched, either in the Day or in the Night, and if any such false or counterfeit Coin, or any such Instrument, Tool, or Engine, or any such Machine, or any such Filings, Clippings, or Bullion, or any such Gold or Silver in Dust, Solution, or otherwise as aforesaid, shall be found in any Place so searched, to cause the same to be seized and carried forthwith before some Justice of the Peace; and whensoever any such false or counterfeit Coin, or any such Instrument, Tool, or Engine, or any such Machine, or any such Filings, Clippings, or Bullion, or any such Gold or Silver in Dust, Solution, or otherwise as aforesaid, shall in any Case whatsoever be seized and carried before a Justice of the Peace, he shall, if necessary, cause the same to be secured, for the Purpose of being produced in Evidence against any Person who may be prosecuted for any Offence against this Act; and all such false and counterfeit Coin, and all Instruments, Tools, and Engines adapted and intended for the making or counterfeiting of Coin, and all such Machines, and all such Filings, Clippings, and Bullion, and all such Gold and Silver in Dust, Solution, or otherwise as aforesaid, after they shall have been produced in Evidence, or when they shall have been seized, and shall not be required to be produced in Evidence, shall forthwith be delivered up to the Officers of Her Majesty's Mint, or to the Solicitors of Her Majesty's Treasury, or to any Person authorized by them to receive the same:

Venue.

28. Where any Person shall tender, utter, or put off any false or counterfeit Coin in one County or Jurisdiction, and shall also tender, utter, or put off any other false or counterfeit Coin in any other County or Jurisdiction, either on the Day of such first-mentioned tendering, uttering, or putting off, or within the Space of Ten Days next ensuing, or where Two or more Persons, acting in concert in different Counties or Jurisdictions, shall commit any Offence against this Act, every such Offender may be dealt with, indicted, tried, and punished, and the Offence laid and charged to have been committed, in any One of the said Counties or Jurisdictions, in the same Manner in all respects as if the Offence had been actually and wholly committed within such One County or Jurisdiction.

What shall be sufficient Proof of Coin being counterfeit.

29. Where, upon the Trial of any Person charged with any Offence against this Act, it shall be necessary to prove that any Coin produced in Evidence against such Person is false or counterfeit, it shall not be necessary to prove the same to be false and counterfeit by the Evidence of any Moneyer, or other Officer of Her Majesty's Mint, but it shall be sufficient to prove the same

to be false or counterfeit by the Evidence of any other credible Witness.

Where the counterfeiting Coin shall be complete.

30. Every Offence of falsely making or counterfeiting any Coin, or of buying, selling, receiving, paying, tendering, uttering, or putting off, or of offering to buy, sell, receive, pay, utter, or put off, any false or counterfeit Coin, against the Provisions of this Act, shall be deemed to be complete, although the Coin so made or counterfeited, or bought, sold, received, paid, tendered, uttered, or put off, or offered to be bought, sold, received, paid, uttered, or put off, shall not be in a fit State to be uttered, or the counterfeiting thereof shall not be finished or perfected.

Any Person may apprehend Offenders against this Act.

31. It shall be lawful for any Person whatsoever to apprehend any Person who shall be found committing any indictable Offence, or any high Crime and Offence, or Crime and Offence, against this Act, and to convey or deliver him to some Peace Officer, Constable, or Officer of Police, in order to his being conveyed as soon as reasonably may be before a Justice of the Peace or some other proper Officer, to be dealt with according to Law.

No Certiorari, &c.

32. No Conviction for any Offence punishable on summary Conviction under this Act shall be quashed for Want of Form, or be removed by Certiorari into any of Her Majesty's Superior Courts of Record; and no Warrant of Commitment shall be held void by reason of any Defect therein, provided it be therein alleged that the Party has been convicted, and there be a valid Conviction to sustain the same.

Venue in Proceedings against Persons acting under this Act.

33. All Actions and Prosecutions to be commenced against any Person for anything done in pursuance of this Act shall, in *England* or *Ireland*, be laid and tried in the County where the Fact was committed, and shall, in *England*, *Ireland*, or *Scotland*, be commenced within Six Months after the Fact committed, and not otherwise; and Notice in Writing of such Action and of the Cause thereof shall be given to the Defendant or Defender One Month at least before the Commencement of the Action; and in any such Action brought in *England* or *Ireland* the Defendant may plead the General Issue, and give this Act and the special Matter in Evidence, at any Trial to be had thereupon, and in *Scotland* the Defender may insist on all relevant Defences; and no Plaintiff or Pursuer shall recover in any such Action if Tender of sufficient Amends shall have been made before such Action brought, or if a sufficient Sum of Money shall have been paid into Court after such Action brought, by or on behalf of the Defendant or Defender; and if, in *England* or *Ireland*, a Verdict shall pass for the Defendant, or the Plaintiff shall become Nonsuit, or discontinue any such Action after Issue joined, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff, or if, in *Scotland*, the Verdict shall be for the Defender, or if the Pursuer shall abandon the Action, or the Court shall dismiss it as irrelevant or improperly laid, in every such Case the Defendant or Defender shall recover his full Costs as between Attorney and Client, and have the like Remedy for the same as any Defendant or Defender has by Law in other Cases; and though a Verdict shall be given for the Plaintiff or Pursuer in any such

Notice of Action.

General Issue.

Tender of Amends, &c.

Action,

Action, such Plaintiff or Pursuer shall not have Costs against the Defendant or Defender, unless the Judge before whom the Trial shall be shall certify his Approbation of the Action.

Trial of Offences in Scotland.

34. All high Crimes and Offences, and Crimes and Offences, against this Act, which may be committed in *Scotland*, shall be proceeded against and tried according to the Rules and Procedure of the Criminal Law of *Scotland;* and all Proceedings by this Act made competent before any Justice or Justices, and all and every the Powers and Authorities by this Act given to or conferred upon any such Justice or Justices, shall, in *Scotland*, be competent before and may be exercised by any Sheriff, Magistrate, or Justice of the Peace.

Punishment of Principal in the Second Degree, and Accessories.

35. In the Case of every Felony punishable under the Act, every Principal in the Second Degree, and every Accessory before the Fact, shall be punishable in the same Manner as the Principal in the First Degree is by this Act punishable; and every Accessory after the Fact to any Felony punishable under this Act shall be liable to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Offences committed within the Jurisdiction of the Admiralty.

36. All indictable Offences mentioned in this Act which shall be committed within the Jurisdiction of the Admiralty of *England* or *Ireland* shall be deemed to be Offences of the same Nature and liable to the same Punishments as if they had been committed upon the Land in *England* or *Ireland*, and may be dealt with, inquired of, tried, and determined in any County or Place in *England* or *Ireland* in which the Offender shall be apprehended or be in Custody, in the same Manner in all respects as if the same had been actually committed in that County or Place, and in any Indictment for any such Offence, or for being accessory to any such Offence, the Venue in the Margin shall be the same as if such Offence had been committed in such County or Place, and the Offence itself shall be averred to have been committed "on the High Seas;" and where any of the Crimes and Offences, or high Crimes and Offences, mentioned in this Act, shall be committed at Sea, and the Vessel in which the same shall be committed shall be registered in *Scotland*, or touch at any Part thereof, the Courts of Criminal Law of *Scotland* may inquire, try, and determine the same in the same Manner as if such Crime and Offence, or high Crime and Offence, had been committed in *Scotland;* provided that nothing herein contained shall alter or affect any of the Laws relating to the Government of Her Majesty's Land or Naval Forces.

What shall be sufficient Evidence of Conviction for a previous Offence.

37. Where any Person shall have been convicted of any Offence against this Act, or any former Act relating to the Coin, and shall afterwards be indicted for any Offence against this Act committed subsequent to such Conviction, it shall be sufficient in any such Indictment, after charging such subsequent Offence, to state the Substance and Effect only (omitting the formal Part) of the Indictment and Conviction for the previous Offence; and a Certificate containing the Substance and Effect only (omitting the formal Part) of the Indictment and Conviction for the previous Offence, purporting to be signed by the Clerk of the Court or

other Officer having or purporting to have the Custody of the Records of the Court where the Offender was first convicted, or by the Deputy of such Clerk or Officer, shall, upon Proof of the Identity of the Person of the Offender, be sufficient Evidence of the previous Conviction, without Proof of the Signature or official Character or Authority of the Person appearing to have signed the same, or of his Custody or Right to the Custody of the Records of the Court, and for every such Certificate a Fee of Six Shillings and Eightpence, and no more, shall be demanded or taken; and

When the previous Conviction is to be proved on the Trial.

the Proceedings upon any Indictment for committing any Offence after a previous Conviction or Convictions shall be as follows; (that is to say,) the Offender shall, in the first instance, be arraigned upon so much only of the Indictment as charges the subsequent Offence, and if he plead Not Guilty, or if the Court order a Plea of Not Guilty to be entered on his Behalf, the Jury shall be charged, in the first instance, to inquire concerning such subsequent Offence only; and if they find him Guilty, or if on Arraignment he plead Guilty, he shall then, and not before, be asked whether he had been previously convicted as alleged in the Indictment, and if he answer that he had been so previously convicted the Court may proceed to sentence him accordingly, but if he deny that he had been so previously convicted, or stand mute of Malice, or will not answer directly to such Question, the Jury shall then be charged to inquire concerning such previous Conviction or Convictions, and in such Case it shall not be necessary to swear the Jury again, but the Oath already taken by them shall for all Purposes be deemed to extend to such last-mentioned Inquiry: Provided that if upon the Trial of any Person for any such subsequent Offence such Person shall give Evidence of his good Character, it shall be lawful for the Prosecutor, in answer thereto, to give Evidence of the Conviction of such Person for the previous Offence or Offences, before such Verdict of Guilty shall be returned, and the Jury shall inquire concerning such previous Conviction or Convictions at the same Time that they inquire concerning such subsequent Offence.

Fine and Sureties for keeping the Peace; in what Cases.

38. Whenever any Person shall be convicted of any indictable Misdemeanor punishable under this Act the Court may, if it shall think fit, in addition to or in lieu of any of the Punishments by this Act authorized, fine the Offender, and require him to enter into his own Recognizances, and to find Sureties, both or either, for keeping the Peace and being of good Behaviour; and in case of any Felony punishable under this Act, the Court may, if it shall think fit, require the Offender to enter into his own Recognizances, and to find Sureties, both or either, for keeping the Peace, in addition to any Punishment by this Act authorized; provided that no Person shall be imprisoned under this Clause for not finding Sureties for any Period exceeding One Year.

Hard Labour.

39. Whenever Imprisonment, with or without Hard Labour, may be awarded for any indictable Offence under this Act, the Court may sentence the Offender to be imprisoned, or to be imprisoned and kept to Hard Labour, in the Common Gaol or House of Correction.

40. Whenever

Solitary Confinement.

40. Whenever Solitary Confinement may be awarded for any Offence under this Act, the Court may direct the Offender to be kept in Solitary Confinement for any Portion or Portions of his Imprisonment, or of his Imprisonment with Hard Labour, not exceeding One Month at any One Time, and not exceeding Three Months in any One Year.

Summary Proceedings in England may be under 11 & 12 Vict. c. 43., and in Ireland under 14 & 15 Vict. c. 93. ;

41. Every Offence hereby made punishable on summary Conviction may be prosecuted in *England* in the Manner directed by the Act of the Session holden in the Eleventh and Twelfth Years of Queen *Victoria*, Chapter Forty-three, and may be prosecuted in *Ireland* before Two or more Justices of the Peace or One Metropolitan or Stipendiary Magistrate, in the Manner directed by the Act of the Session holden in the Fourteenth and Fifteenth Years of Queen *Victoria*, Chapter Ninety-three, or in such other Manner as may be directed by any Act that may be passed for like Purposes; and all Provisions contained in the said Acts shall be applicable to such Prosecutions in the same Manner as if they were incorporated in this Act: Provided that nothing in this Act contained shall in any Manner alter or affect any Enactment relating to Procedure in the Case of any Offence punishable on summary Conviction within the City of *London* or the Metropolitan Police District, or the Recovery or Application of any Penalty or Forfeiture for any such Offence.

except in London and the Metropolitan Police District.

Costs of Prosecutions.

42. In all Prosecutions for any Offence against this Act in *England*, which shall be conducted under the Direction of the Solicitors of Her Majesty's Treasury, the Court before which such Offence shall be prosecuted or tried shall allow the Expenses of the Prosecution in all respects as in Cases of Felony; and in all Prosecutions for any such Offence in *England* which shall not be so conducted it shall be lawful for such Court, in case a Conviction shall take place, but not otherwise, to allow the Expenses of the Prosecution in like Manner; and every Order for the Payment of such Costs shall be made out, and the Sum of Money mentioned therein paid and repaid, upon the same Terms and in the same Manner in all respects as in Cases of Felony.

Commencement of Act.

43. This Act shall commence and take effect on the First Day of *November* One thousand eight hundred and sixty-one.

CAP. C.

An Act to consolidate and amend the Statute Law of *England* and *Ireland* relating to Offences against the Person. [6th *August* 1861.]

'WHEREAS it is expedient to consolidate and amend the 'Statute Law of *England* and *Ireland* relating to Offences 'against the Person:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Homicide.

Homicide.

Murder.

1. Whosoever shall be convicted of Murder shall suffer Death as a Felon.

Sentence for Murder.

2. Upon every Conviction for Murder the Court shall pronounce Sentence of Death, and the same may be carried into execution, and all other Proceedings upon such Sentence and in respect thereof may be had and taken, in the same Manner in all respects as Sentence of Death might have been pronounced and carried into execution, and all other Proceedings thereupon and in respect thereof might have been had and taken, before the passing of this Act, upon a Conviction for any other Felony for which the Prisoner might have been sentenced to suffer Death as a Felon.

Body to be buried in Prison.

3. The Body of every Person executed for Murder shall be buried within the Precincts of the Prison in which he shall have been last confined after Conviction, and the Sentence of the Court shall so direct.

Conspiring or soliciting to commit Murder.

4. All Persons who shall conspire, confederate, and agree to murder any Person, whether he be a Subject of Her Majesty or not, and whether he be within the Queen's Dominions or not, and whosoever shall solicit, encourage, persuade, or endeavour to persuade, or shall propose to any Person, to murder any other Person, whether he be a Subject of Her Majesty or not, and whether he be within the Queen's Dominions or not, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not more than Ten and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Manslaughter.

5. Whosoever shall be convicted of Manslaughter shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, or to pay such Fine as the Court shall award, in addition to or without any such other discretionary Punishment as aforesaid.

Indictment for Murder or Manslaughter.

6. In any Indictment for Murder or Manslaughter, or for being an Accessory to any Murder or Manslaughter, it shall not be necessary to set forth the Manner in which or the Means by which the Death of the Deceased was caused, but it shall be sufficient in any Indictment for Murder to charge that the Defendant did feloniously, wilfully, and of his Malice aforethought kill and murder the Deceased; and it shall be sufficient in any Indictment for Manslaughter to charge that the Defendant did feloniously kill and slay the Deceased; and it shall be sufficient in any Indictment against any Accessory to any Murder or Manslaughter to charge the Principal with the Murder or Manslaughter (as the Case may be) in the Manner herein-before specified, and then to charge the Defendant as an Accessory in the Manner heretofore used and accustomed.

7. No

Offences against the Person.

Excusable Homicide.

7. No Punishment or Forfeiture shall be incurred by any Person who shall kill another by Misfortune or in his own Defence, or in any other Manner without Felony.

Petit Treason.

8. Every Offence which before the Commencement of the Act of the Ninth Year of King *George* the Fourth, Chapter Thirty-one, would have amounted to Petit Treason, shall be deemed to be Murder only, and no greater Offence; and all Persons guilty in respect thereof, whether as Principals or as Accessories, shall be dealt with, indicted, tried, and punished as Principals and Accessories in Murder.

Murder or Manslaughter abroad.

9. Where any Murder or Manslaughter shall be committed on Land out of the United Kingdom, whether within the Queen's Dominions or without, and whether the Person killed were a Subject of Her Majesty or not, every Offence committed by any Subject of Her Majesty, in respect of any such Case, whether the same shall amount to the Offence of Murder or of Manslaughter, or of being accessory to Murder or Manslaughter, may be dealt with, inquired of, tried, determined, and punished in any County or Place in *England* or *Ireland* in which such Person shall be apprehended or be in Custody, in the same Manner in all respects as if such Offence had been actually committed in that County or Place; provided that nothing herein contained shall prevent any Person from being tried in any Place out of *England* or *Ireland* for any Murder or Manslaughter committed out of *England* or *Ireland*, in the same Manner as such Person might have been tried before the passing of this Act.

Provision for the Trial of Murder and Manslaughter where the Death only happens in England or Ireland.

10. Where any Person, being feloniously stricken, poisoned, or otherwise hurt upon the Sea, or at any Place out of *England* or *Ireland*, shall die of such Stroke, Poisoning, or Hurt in *England* or *Ireland*, or, being feloniously stricken, poisoned, or otherwise hurt at any Place in *England* or *Ireland*, shall die of such Stroke, Poisoning, or Hurt upon the Sea, or at any Place out of *England* or *Ireland*, every Offence committed in respect of any such Case, whether the same shall amount to the Offence of Murder or of Manslaughter, or of being accessory to Murder or Manslaughter, may be dealt with, inquired of, tried, determined, and punished in the County or Place in *England* or *Ireland* in which such Death, Stroke, Poisoning, or Hurt shall happen, in the same Manner in all respects as if such Offence had been wholly committed in that County or Place.

Attempts to murder.

Administering Poison, or wounding with Intent to murder.

11. Whosoever shall administer to or cause to be administered to or to be taken by any Person any Poison or other destructive Thing, or shall by any Means whatsoever wound or cause any grievous bodily Harm to any Person, with Intent in any of the Cases aforesaid to commit Murder, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

12. Whosoever,

Offences against the Person.

Destroying or damaging a Building with Gunpowder, with Intent to murder.

12. Whosoever, by the Explosion of Gunpowder or other explosive Substance, shall destroy or damage any Building with Intent to commit Murder, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Setting fire to or casting away a Ship with Intent to murder.

13. Whosoever shall set fire to any Ship or Vessel or any Part thereof, or any Part of the Tackle, Apparel, or Furniture thereof, or any Goods or Chattels being therein, or shall cast away or destroy any Ship or Vessel, with Intent in any of such Cases to commit Murder, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Attempting to administer Poison, or shooting or attempting to shoot, or attempting to drown, &c., with Intent to murder.

14. Whosoever shall attempt to administer to or shall attempt to cause to be administered to or to be taken by any Person any Poison or other destructive Thing, or shall shoot at any Person, or shall, by drawing a Trigger or in any other Manner, attempt to discharge any kind of loaded Arms at any Person, or shall attempt to drown, suffocate, or strangle any Person, with Intent, in any of the Cases aforesaid, to commit Murder, shall, whether any bodily Injury be effected or not, be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

By any other Means attempting to commit Murder.

15. Whosoever shall, by any Means other than those specified in any of the preceding Sections of this Act, attempt to commit Murder, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Letters threatening to murder.

Sending Letters threatening to murder.

16. Whosoever shall maliciously send, deliver, or utter, or directly or indirectly cause to be received, knowing the Contents thereof, any Letter or Writing threatening to kill or murder any Person, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Ten Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Acts causing or tending to cause Danger to Life or bodily Harm.

Impeding a Person endeavouring to save himself from Shipwreck.

17. Whosoever shall unlawfully and maliciously prevent or impede any Person, being on board of or having quitted any Ship or Vessel which shall be in Distress, or wrecked, stranded, or cast on shore, in his Endeavour to save his Life, or shall unlawfully and maliciously prevent or impede any Person in his Endeavour to save the Life of any such Person as in this Section first aforesaid, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Shooting or attempting shoot, or wounding with Intent to do grievous bodily Harm.

18. Whosoever shall unlawfully and maliciously by any Means whatsoever wound or cause any grievous bodily Harm to any Person, or shoot at any Person, or, by drawing a Trigger or in any other Manner, attempt to discharge any Kind of loaded Arms at any Person, with Intent, in any of the Cases aforesaid, to maim, disfigure, or disable any Person, or to do some other grievous bodily Harm to any Person, or with Intent to resist or prevent the lawful Apprehension or Detainer of any Person, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

What shall constitute loaded Arms.

19. Any Gun, Pistol, or other Arms which shall be loaded in the Barrel with Gunpowder or any other explosive Substance, and Ball, Shot, Slug, or other destructive Material, shall be deemed to be loaded Arms within the Meaning of this Act, although the Attempt to discharge the same may fail from Want of proper Priming or from any other Cause.

Inflicting bodily Injury, with or without Weapon.

20. Whosoever shall unlawfully and maliciously wound or inflict any grievous bodily Harm upon any other Person, either with or without any Weapon or Instrument, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Attempting to choke, &c. in order to commit any indictable Offence.

21. Whosoever shall, by any Means whatsoever, attempt to choke, suffocate, or strangle any other Person, or shall, by any Means calculated to choke, suffocate, or strangle, attempt to render any other Person insensible, unconscious, or incapable of Resistance, with Intent in any of such Cases thereby to enable himself or any other Person to commit, or with Intent in any of such Cases thereby to assist any other Person in committing, any indictable Offence, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—

Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Using Chloroform, &c. to commit any indictable Offence.

22. Whosoever shall unlawfully apply or administer to or cause to be taken by, or attempt to apply or administer to or attempt to cause to be administered to or taken by, any Person, any Chloroform, Laudanum, or other stupefying or overpowering Drug, Matter, or Thing, with Intent in any of such Cases thereby to enable himself or any other Person to commit, or with Intent in any of such Cases thereby to assist any other Person in committing, any indictable Offence, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any other Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Maliciously administering Poison, &c. so as to endanger Life or inflict grevious bodily Harm.

23. Whosoever shall unlawfully and maliciously administer to or cause to be administered to or taken by any other Person any Poison or other destructive or noxious Thing, so as thereby to endanger the Life of such Person, or so as thereby to inflict upon such Person any grievous bodily Harm, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Ten Years and not less than Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Maliciously administering Poison, &c. with Intent, &c.

24. Whosoever shall unlawfully and maliciously administer to or cause to be administered to or taken by any other Person any Poison or other destructive or noxious Thing, with Intent to injure, aggrieve, or annoy such Person, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

If Felony not proved, Jury may find guilty of Misdemeanor.

25. If, upon the Trial of any Person for any Felony in the last but one preceding Section mentioned, the Jury shall not be satisfied that such Person is guilty thereof, but shall be satisfied that he is guilty of any Misdemeanor in the last preceding Section mentioned, then and in every such Case the Jury may acquit the Accused of such Felony, and find him guilty of such Misdemeanor, and thereupon he shall be liable to be punished in the same Manner as if convicted upon an Indictment for such Misdemeanor.

Not providing Apprentices or Servants with Food, &c., whereby Life endangered.

26. Whosoever, being legally liable, either as a Master or Mistress, to provide for any Apprentice or Servant necessary Food, Clothing, or Lodging, shall wilfully and without lawful Excuse refuse or neglect to provide the same, or shall unlawfully and maliciously do or cause to be done any bodily Harm to any such Apprentice or Servant, so that the Life of such Apprentice or Servant shall be endangered, or the Health of such Apprentice or Servant shall have been or shall be likely to be permanently injured, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned

prisoned for any Term not exceeding Two Years, with or without Hard Labour.

Exposing Children whereby Life endangered.

27. Whosoever shall unlawfully abandon or expose any Child, being under the Age of Two Years, whereby the Life of such Child shall be endangered, or the Health of such Child shall have been or shall be likely to be permanently injured, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Causing bodily Injury by Gunpowder.

28. Whosoever shall unlawfully and maliciously, by the Explosion of Gunpowder or other explosive Substance, burn, maim, disfigure, disable, or do any grievous bodily Harm to any Person, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and, if a Male under the Age of Sixteen Years, with or without Whipping.

Causing Gunpowder to explode, or sending to any Person an explosive Substance, &c. with Intent to do grievous bodily Harm.

29. Whosoever shall unlawfully and maliciously cause any Gunpowder or other explosive Substance to explode, or send or deliver to or cause to be taken or received by any Person any explosive Substance or any other dangerous or noxious Thing, or put or lay at any Place, or cast or throw at or upon or otherwise apply to any Person, any corrosive Fluid or any destructive or explosive Substance, with Intent in any of the Cases aforesaid to burn, maim, disfigure, or disable any Person, or to do some grievous bodily Harm to any Person, shall, whether any bodily Injury be effected or not, be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and if a Male under the Age of Sixteen Years, with or without Whipping.

Placing Gunpowder near a Building, with Intent to do bodily Injury to any Person.

30. Whosoever shall unlawfully and maliciously place or throw in, into, upon, against, or near any Building, Ship, or Vessel any Gunpowder or other explosive Substance, with Intent to do any bodily Injury to any Person, shall, whether or not any Explosion take place, and whether or not any bodily Injury be effected, be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement, and if a Male under the Age of Sixteen Years, with or without Whipping.

Setting Spring Guns, &c., with Intent to inflict grievous bodily Harm.

31. Whosoever shall set or place, or cause to be set or placed, any Spring Gun, Man Trap, or other Engine calculated to destroy Human Life or inflict grievous bodily Harm, with the Intent that the same or whereby the same may destroy or inflict grievous bodily

bodily Harm upon a Trespasser or other Person coming in contact therewith, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour; and whosoever shall knowingly and wilfully permit any such Spring Gun, Man Trap, or other Engine which may have been set or placed in any Place then being in or afterwards coming into his Possession or Occupation by some other Person to continue so set or placed, shall be deemed to have set and placed such Gun, Trap, or Engine with such Intent as aforesaid: Provided that nothing in this Section contained shall extend to make it illegal to set or place any Gin or Trap such as may have been or may be usually set or placed with the Intent of destroying Vermin: Provided also, that nothing in this Section shall be deemed to make it unlawful to set or place or cause to be set or placed, or to be continued set or placed, from Sunset to Sunrise, any Spring Gun, Man Trap, or other Engine which shall be set or placed, or caused or continued to be set or placed, in a Dwelling House, for the Protection thereof.

Placing Wood, &c. on a Railway, with Intent to endanger Passengers.

32. Whosoever shall unlawfully and maliciously put or throw upon or across any Railway any Wood, Stone, or other Matter or Thing, or shall unlawfully and maliciously take up, remove, or displace any Rail, Sleeper, or other Matter or Thing belonging to any Railway, or shall unlawfully and maliciously turn, move, or divert any Points or other Machinery belonging to any Railway, or shall unlawfully and maliciously make or show, hide or remove, any Signal or Light upon or near to any Railway, or shall unlawfully and maliciously do or cause to be done any other Matter or Thing, with Intent, in any of the Cases aforesaid, to endanger the Safety of any Person travelling or being upon such Railway, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and if a Male under the Age of Sixteen Years, with or without Whipping.

Casting Stone, &c. upon a Railway Carriage, with Intent to endanger the Safety of any Person therein.

33. Whosoever shall unlawfully and maliciously throw, or cause to fall or strike, at, against, into, or upon any Engine, Tender, Carriage, or Truck used upon any Railway, any Wood, Stone, or other Matter or Thing, with Intent to injure or endanger the Safety of any Person being in or upon such Engine, Tender, Carriage, or Truck, or in or upon any other Engine, Tender, Carriage, or Truck of any Train of which such first-mentioned Engine, Tender, Carriage, or Truck shall form Part, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Endangering Passengers by Railway.

34. Whosoever, by any unlawful Act, or by any wilful Omission or Neglect, shall endanger or cause to be endangered the Safety

Offences against the Person.

Safety of any Person conveyed or being in or upon a Railway, or shall aid or assist therein, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Drivers of Carriages injuring Persons by furious Driving.

35. Whosoever, having the Charge of any Carriage or Vehicle, shall by wanton or furious Driving or Racing, or other wilful Misconduct, or by wilful Neglect, do or cause to be done any bodily Harm to any Person whatsoever, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Assaults.

Obstructing or assaulting a Clergyman or other Minister in the Discharge of his Duties.

36. Whosoever shall, by Threats or Force, obstruct or prevent, or endeavour to obstruct or prevent, any Clergyman or other Minister in or from celebrating Divine Service or otherwise officiating in any Church, Chapel, Meeting House, or other Place of Divine Worship, or in or from the Performance of his Duty in the lawful Burial of the Dead in any Churchyard or other Burial Place, or shall strike or offer any Violence to, or shall, upon any Civil Process, or under the Pretence of executing any Civil Process, arrest any Clergyman or other Minister who is engaged in, or to the Knowledge of the Offender is about to engage in, any of the Rites or Duties in this Section aforesaid, or who to the Knowledge of the Offender shall be going to perform the same or returning from the Performance thereof, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Assaulting a Magistrate &c. on account of his preserving Wreck.

37. Whosoever shall assault and strike or wound any Magistrate, Officer, or other Person whatsoever lawfully authorized, in or on account of the Exercise of his Duty in or concerning the Preservation of any Vessel in Distress, or of any Vessel, Goods, or Effects wrecked, stranded, or cast on shore, or lying under Water, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Assault with Intent to commit Felony, or on Peace Officers, &c.

38. Whosoever shall assault any Person with Intent to commit Felony, or shall assault, resist, or wilfully obstruct any Peace Officer in the due Execution of his Duty, or any Person acting in aid of such Officer, or shall assault any Person with Intent to resist or prevent the lawful Apprehension or Detainer of himself or of any other Person for any Offence, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Assaults with Intent to obstruct the Sale of Grain, or its free Passage.

39. Whosoever shall beat, or use any Violence or Threat of Violence to any Person, with Intent to deter or hinder him from buying, selling, or otherwise disposing of, or to compel him to buy, sell, or otherwise dispose of, any Wheat or other Grain, Flour,

Flour, Meal, Malt, or Potatoes, in any Market or other Place, or shall beat or use any such Violence or Threat to any Person having the Care or Charge of any Wheat or other Grain, Flour, Meal, Malt, or Potatoes, whilst on the Way to or from any City, Market Town, or other Place, with Intent to stop the Conveyance of the same, shall, on Conviction thereof before Two Justices of the Peace, be liable to be imprisoned and kept to Hard Labour in the Common Gaol or House of Correction for any Term not exceeding Three Months: Provided that no Person who shall be punished for any such Offence by virtue of this Section shall be punished for the same Offence by virtue of any other Law whatsoever.

Assaults on Seamen, &c.

40. Whosoever shall unlawfully and with Force hinder or prevent any Seaman, Keelman, or Caster from working at or exercising his lawful Trade, Business, or Occupation, or shall beat or use any Violence to any such Person with Intent to hinder or prevent him from working at or exercising the same, shall, on Conviction thereof before Two Justices of the Peace, be liable to be imprisoned and kept to Hard Labour in the Common Gaol or House of Correction for any Term not exceeding Three Months: Provided that no Person who shall be punished for any such Offence by reason of this Section shall be punished for the same Offence by virtue of any other Law whatsoever.

Assaults arising from Combination.

41. Whosoever, in pursuance of any unlawful Combination or Conspiracy to raise the Rate of Wages, or of any unlawful Combination or Conspiracy respecting any Trade, Business, or Manufacture, or respecting any Person concerned or employed therein, shall unlawfully assault any Person, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Persons committing any Common Assault or Battery may be imprisoned or compelled by Two Magistrates to pay Fine and Costs not exceeding 5*l*.

42. Where any Person shall unlawfully assault or beat any other Person, Two Justices of the Peace, upon Complaint by or on behalf of the Party aggrieved, may hear and determine such Offence, and the Offender shall, upon Conviction thereof before them, at the Discretion of the Justices, either be committed to the Common Gaol or House of Correction, there to be imprisoned with or without Hard Labour for any Term not exceeding Two Months, or else shall forfeit and pay such Fine as shall appear to them to be meet, not exceeding, together with Costs (if ordered), the Sum of Five Pounds; and if such Fine as shall be so awarded, together with the Costs (if ordered), shall not be paid, either immediately after the Conviction or within such Period as the said Justices shall at the Time of the Conviction appoint, they may commit the Offender to the Common Gaol or House of Correction, there to be imprisoned, with or without Hard Labour, for any Term not exceeding Two Months, unless such Fine and Costs be sooner paid.

Persons convicted of aggravated Assaults on Females

43. When any Person shall be charged before Two Justices of the Peace with an Assault or Battery upon any Male Child whose Age shall not in the Opinion of such Justices exceed Fourteen Years, or upon any Female, either upon the Complaint of the Party

Party aggrieved or otherwise, the said Justices, if the Assault or Battery is of such an aggravated Nature that it cannot in their Opinion be sufficiently punished under the Provisions hereinbefore contained as to Common Assaults and Batteries, may proceed to hear and determine the same in a summary Way, and, if the same be proved, may convict the Person accused; and every such Offender shall be liable to be imprisoned in the Common Gaol or House of Correction, with or without Hard Labour, for any Period not exceeding Six Months, or to pay a Fine not exceeding (together with Costs) the Sum of Twenty Pounds, and in default of Payment to be imprisoned in the Common Gaol or House of Correction for any Period not exceeding Six Months, unless such Fine and Costs be sooner paid, and, if the Justices shall so think fit, in any of the said Cases, shall be bound to keep the Peace and be of good Behaviour for any Period not exceeding Six Months from the Expiration of such Sentence.

and Boys under Fourteen Years of Age may be imprisoned or fined.

44. If the Justices, upon the Hearing of any such Case of Assault or Battery upon the Merits, where the Complaint was preferred by or on the Behalf of the Party aggrieved, under either of the last Two preceding Sections, shall deem the Offence not to be proved, or shall find the Assault or Battery to have been justified, or so trifling as not to merit any Punishment, and shall accordingly dismiss the Complaint, they shall forthwith make out a Certificate under their Hands stating the Fact of such Dismissal, and shall deliver such Certificate to the Party against whom the Complaint was preferred.

If the Magistrates dismiss the Complaint, they shall make out a Certificate to that Effect.

45. If any Person, against whom any such Complaint as in either of the last Three preceding Sections mentioned shall have been preferred by or on the Behalf of the Party aggrieved, shall have obtained such Certificate, or, having been convicted, shall have paid the whole Amount adjudged to be paid, or shall have suffered the Imprisonment or Imprisonment with Hard Labour awarded, in every such Case he shall be released from all further or other Proceedings, Civil or Criminal, for the same Cause.

Certificate or Conviction shall be a Bar to any other Proceedings.

46. Provided, That in case the Justices shall find the Assault or Battery complained of to have been accompanied by any Attempt to commit Felony, or shall be of opinion that the same is, from any other Circumstance, a fit Subject for a Prosecution by Indictment, they shall abstain from any Adjudication thereupon, and shall deal with the Case in all respects in the same Manner as if they had no Authority finally to hear and determine the same: Provided also, that nothing herein contained shall authorize any Justices to hear and determine any Case of Assault or Battery in which any Question shall arise as to the Title to any Lands, Tenements, or Hereditaments, or any Interest therein or accruing therefrom, or as to any Bankruptcy or Insolvency, or any Execution under the Process of any Court of Justice.

These Provisions not to apply to certain Cases.

47. Whosoever shall be convicted upon an Indictment of any Assault occasioning actual bodily Harm shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding

Assault occasioning bodily Harm.

Offences against the Person.

Common Assault.

ceeding Two Years, with or without Hard Labour; and whosoever shall be convicted upon an Indictment for a common Assault shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding One Year, with or without Hard Labour.

Rape, Abduction, and Defilement of Women.

Rape.

48. Whosoever shall be convicted of the Crime of Rape shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Procuring the Defilement of Girl under Age.

49. Whosoever shall, by false Pretences, false Representations, or other fraudulent Means, procure any Woman or Girl under the Age of Twenty-one Years to have illicit carnal Connexion with any Man, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Carnally knowing a Girl under Ten Years of Age.

50. Whosoever shall unlawfully and carnally know and abuse any Girl under the Age of Ten Years shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Carnally knowing a Girl between the Ages of Ten and Twelve.

51. Whosoever shall unlawfully and carnally know and abuse any Girl being above the Age of Ten Years and under the Age of Twelve Years shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Attempt to commit the last Two Offences.

52. Whosoever shall be convicted of any indecent Assault upon any Female, or of any Attempt to have carnal Knowledge of any Girl under Twelve Years of Age, shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Abduction of a Woman against her Will, from Motives of Lucre.

53. Where any Woman of any Age shall have any Interest, whether legal or equitable, present or future, absolute, conditional, or contingent, in any Real or Personal Estate, or shall be a presumptive Heiress or Coheiress, or presumptive Next of Kin, or One of the presumptive Next of Kin, to any one having such Interest, whosoever shall, from Motives of Lucre, take away or detain such Woman against her Will, with Intent to marry or carnally know her, or to cause her to be married or carnally known by any other Person; and whosoever shall fraudulently allure, take away, or detain such Woman, being under the Age of Twenty-one Years, out of the Possession and against the Will of her Father or Mother, or of any other Person having the lawful Care or Charge of her, with Intent to marry or carnally know her, or to cause her to be married or carnally known by any other Person,

Fraudulent Abduction of a Girl under Age against the Will of her Father, &c.

Person, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour; and whosoever shall be convicted of any Offence against this Section shall be incapable of taking any Estate or Interest, legal or equitable, in any Real or Personal Property of such Woman, or in which she shall have any such Interest, or which shall come to her as such Heiress, Coheiress, or Next of Kin as aforesaid; and if any such Marriage as aforesaid shall have taken place, such Property shall, upon such Conviction, be settled in such Manner as the Court of Chancery in *England* or *Ireland* shall upon any Information at the Suit of the Attorney General appoint.

Offender incapable of taking any of her Property.

54. Whosoever shall, by Force, take away or detain against her Will any Woman, of any Age, with Intent to marry or carnally know her, or to cause her to be married or carnally known by any other Person, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Forcible Abduction of any Woman with Intent to marry her.

55. Whosoever shall unlawfully take or cause to be taken any unmarried Girl, being under the Age of Sixteen Years, out of the Possession and against the Will of her Father or Mother, or of any other Person having the lawful Care or Charge of her, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Abduction of a Girl under Sixteen Years of Age.

Child-stealing.

56. Whosoever shall unlawfully, either by Force or Fraud, lead or take away, or decoy or entice away or detain, any Child under the Age of Fourteen Years, with Intent to deprive any Parent, Guardian, or other Person having the lawful Care or Charge of such Child of the Possession of such Child, or with Intent to steal any Article upon or about the Person of such Child, to whomsoever such Article may belong, and whosoever shall, with any such Intent, receive or harbour any such Child, knowing the same to have been, by Force or Fraud, led, taken, decoyed, enticed away, or detained as in this Section before mentioned, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and, if a Male under the Age of Sixteen Years, with or without Whipping: Provided that no Person who shall have claimed any Right to the Possession of such Child, or shall be the Mother or shall have claimed to be the Father of an illegitimate Child, shall be liable to be prosecuted by virtue hereof on account of the getting Pos-

Child-stealing.

session of such Child, or taking such Child out of the Possession of any Person having the lawful Charge thereof.

Bigamy.

Bigamy.

57. Whosoever, being married, shall marry any other Person during the Life of the former Husband or Wife, whether the Second Marriage shall have taken place in *England* or *Ireland* or elsewhere, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Seven Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour; and any such Offence may be dealt with, inquired of, tried, determined, and punished in any County or Place in *England* or *Ireland* where the Offender shall be apprehended or be in Custody, in the same Manner in all respects as if the Offence had been actually committed in that County or Place: Provided that nothing in this Section contained shall extend to any Second Marriage contracted elsewhere than in *England* and *Ireland* by any other than a Subject of Her Majesty, or to any Person marrying a Second Time whose Husband or Wife shall have been continually absent from such Person for the Space of Seven Years then last past, and shall not have been known by such Person to be living within that Time, or shall extend to any Person who, at the Time of such Second Marriage, shall have been divorced from the Bond of the First Marriage, or to any Person whose former Marriage shall have been declared void by the Sentence of any Court of competent Jurisdiction.

Offence may be dealt with where Offender shall be apprehended.

Not to extend to Second Marriages, &c. herein stated.

Attempts to procure Abortion.

Administering Drugs or using Instruments to procure Abortion.

58. Every Woman, being with Child, who, with Intent to procure her own Miscarriage, shall unlawfully administer to herself any Poison or other noxious Thing, or shall unlawfully use any Instrument or other Means whatsoever with the like Intent, and whosoever, with Intent to procure the Miscarriage of any Woman, whether she be or be not with Child, shall unlawfully administer to her or cause to be taken by her any Poison or other noxious Thing, or shall unlawfully use any Instrument or other Means whatsoever with the like Intent, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Procuring Drugs, &c. to cause Abortion.

59. Whosoever shall unlawfully supply or procure any Poison or other noxious Thing, or any Instrument or Thing whatsoever, knowing that the same is intended to be unlawfully used or employed with Intent to procure the Miscarriage of any Woman, whether she be or be not with Child, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for the Term

Term of Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Concealing the Birth of a Child.

Concealing the Birth of a Child.

60. If any Woman shall be delivered of a Child, every Person who shall, by any secret Disposition of the dead Body of the said Child, whether such Child died before, at, or after its Birth, endeavour to conceal the Birth thereof, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour: Provided that if any Person tried for the Murder of any Child shall be acquitted thereof, it shall be lawful for the Jury by whose Verdict such Person shall be acquitted to find, in case it shall so appear in Evidence, that the Child had recently been born, and that such Person did, by some secret Disposition of the dead Body of such Child, endeavour to conceal the Birth thereof, and thereupon the Court may pass such Sentence as if such Person had been convicted upon an Indictment for the Concealment of the Birth.

Unnatural Offences.

Sodomy and Bestiality.

61. Whosoever shall be convicted of the abominable Crime of Buggery, committed either with Mankind or with any Animal, shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Ten Years.

Attempt to commit an infamous Crime.

62. Whosoever shall attempt to commit the said abominable Crime, or shall be guilty of any Assault with Intent to commit the same, or of any indecent Assault upon any Male Person, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Ten Years and not less than Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

Carnal Knowledge Defined.

63. Whenever, upon the Trial for any Offence punishable under this Act, it may be necessary to prove carnal Knowledge, it shall not be necessary to prove the actual Emission of Seed in order to constitute a carnal Knowledge, but the carnal Knowledge shall be deemed complete upon Proof of Penetration only.

Making Gunpowder to commit Offences, and searching for the same.

Making or having Gunpowder, &c. with Intent to commit any Felony against this Act.

64. Whosoever shall knowingly have in his Possession, or make or manufacture, any Gunpowder, explosive Substance, or any dangerous or noxious Thing, or any Machine, Engine, Instrument, or Thing, with Intent by means thereof to commit, or for the Purpose of enabling any other Person to commit, any of the Felonies in this Act mentioned, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and

with or without Solitary Confinement, and if a Male under the Age of Sixteen Years, with or without Whipping.

Justices may issue Warrants for searching Houses, &c. in which explosive Substances are suspected to be made for the Purpose of committing Felonies against this Act.

65. Any Justice of the Peace of any County or Place in which any such Gunpowder, or other explosive, dangerous, or noxious Substance or Thing, or any such Machine, Engine, Instrument, or Thing, is suspected to be made, kept, or carried for the Purpose of being used in committing any of the Felonies in this Act mentioned, upon reasonable Cause assigned upon Oath by any Person, may issue a Warrant under his Hand and Seal for searching, in the Daytime, any House, Mill, Magazine, Storehouse, Warehouse, Shop, Cellar, Yard, Wharf, or other Place, or any Carriage, Waggon, Cart, Ship, Boat, or Vessel, in which the same is suspected to be made, kept, or carried for such Purpose as herein-before mentioned; and every Person acting in the Execution of any such Warrant shall have, for seizing, removing to proper Places, and detaining all such Gunpowder, explosive, dangerous, or noxious Substances, Machines, Engines, Instruments, or Things, found upon such Search, which he shall have good Cause to suspect to be intended to be used in committing any such Offence, and the Barrels, Packages, Cases, and other Receptacles in which the same shall be, the same Powers and Protections which are given to Persons searching for unlawful Quantities of Gunpowder under the Warrant of a Justice by the Act passed in the Session holden in the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and thirty-nine, intituled *An Act to amend the Law concerning the making, keeping, and Carriage of Gunpowder and Compositions of an explosive Nature, and concerning the Manufacture, Sale, and Use of Fireworks.*

23 & 24 Vict. c. 139.

Other Matters.

Persons loitering at Night, suspected of Felony may be apprehended.

66. Any Constable or Peace Officer may take into Custody, without a Warrant, any Person whom he shall find lying or loitering in any Highway, Yard, or other Place during the Night, and whom he shall have good Cause to suspect of having committed or being about to commit any Felony in this Act mentioned, and shall take such Person as soon as reasonably may be before a Justice of the Peace, to be dealt with according to Law.

Punishment of Principals in the Second Degree, and Accessories.

67. In the Case of every Felony punishable under this Act, every Principal in the Second Degree, and every Accessory before the Fact, shall be punishable in the same Manner as the Principal in the First Degree is by this Act punishable; and every Accessory after the Fact to any Felony punishable under this Act (except Murder) shall be liable to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour; and every Accessory after the Fact to Murder shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life or for any Term not less than Three Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour; and whosoever shall counsel, aid, or abet the Commission of any indictable Misdemeanor punishable under this Act shall

shall be liable to be proceeded against, indicted, and punished as a principal Offender.

Offences committed within Jurisdiction of Admiralty.

68. All indictable Offences mentioned in this Act which shall be committed within the Jurisdiction of the Admiralty of *England* or *Ireland* shall be deemed to be Offences of the same Nature and liable to the same Punishments as if they had been committed upon the Land in *England* or *Ireland*, and may be dealt with, inquired of, tried, and determined in any County or Place in *England* or *Ireland* in which the Offender shall be apprehended or be in Custody, in the same Manner in all respects as if they had been actually committed in that County or Place; and in any Indictment for any such Offence, or for being an Accessory to such an Offence, the Venue in the Margin shall be the same as if the Offence had been committed in such County or Place, and the Offence shall be averred to have been committed "on the High Seas:" Provided that nothing herein contained shall alter or affect any of the Laws relating to the Government of Her Majesty's Land or Naval Forces.

Hard Labour in Gaol, &c.

69. Whenever Imprisonment, with or without Hard Labour, may be awarded for any indictable Offence under this Act, the Court may sentence the Offender to be imprisoned, or to be imprisoned and kept to Hard Labour, in the Common Gaol or House of Correction.

Solitary Confinement and Whipping.

70. Whenever Solitary Confinement may be awarded for any Offence under this Act, the Court may direct the Offender to be kept in Solitary Confinement for any Portion or Portions of any Imprisonment, or of any Imprisonment with Hard Labour, which the Court may award, not exceeding One Month at any One Time, and not exceeding Three Months in any One Year; and whenever Whipping may be awarded for any Offence under this Act, the Court may sentence the Offender to be once privately whipped, and the Number of Strokes and the Instrument with which they shall be inflicted shall be specified by the Court in the Sentence.

Fine, and Sureties for keeping the Peace; in what Cases.

71. Whenever any Person shall be convicted of any indictable Misdemeanor punishable under this Act, the Court may, if it shall think fit, in addition to or in lieu of any Punishment by this Act authorized, fine the Offender, and require him to enter into his own Recognizances, and to find Sureties, both or either, for keeping the Peace and being of good Behaviour; and in case of any Felony punishable under this Act otherwise than with Death the Court may, if it shall think fit, require the Offender to enter into his own Recognizances and to find Sureties, both or either, for keeping the Peace, in addition to any Punishment by this Act authorized; provided that no Person shall be imprisoned for not finding Sureties under this Clause for any Period exceeding One Year.

No Certiorari, &c.

72. No summary Conviction under this Act shall be quashed for Want of Form, or be removed by Certiorari into any of Her Majesty's Superior Courts of Record; and no Warrant of Commitment shall be held void by reason of any Defect therein, provided

vided it be therein alleged that the Party has been convicted, and there be a good and valid Conviction to sustain the same.

Guardians and Overseers may be required to prosecute in certain Cases of Offences against this Act.

73. Where any Complaint shall be made of any Offence against Section Twenty-six of this Act, or of any bodily Injury inflicted upon any Person under the Age of Sixteen Years, for which the Party committing it is liable to be indicted, and the Circumstances of which Offence amount, in point of Law, to a Felony, or an Attempt to commit a Felony, or an Assault with Intent to commit a Felony, and Two Justices of the Peace before whom such Complaint is heard shall certify under their Hands that it is necessary for the Purposes of Public Justice that the Prosecution should be conducted by the Guardians of the Union or Place, or, where there are no Guardians, by the Overseers of the Poor of the Place, in which the Offence shall be charged to have been committed, such Guardians or Overseers, as the Case may be, upon personal Service of such Certificate or a Duplicate thereof upon the Clerk of such Guardians or upon any One of such Overseers, shall conduct the Prosecution, and shall pay the Costs reasonably and properly incurred by them therein (so far as the same shall not be allowed to them under any Order of any Court) out of the Common Fund of the Union, or out of the Funds in the Hands of the Guardians or Overseers, as the Case may be; and, where there is a Board of Guardians, the Clerk or some other Officer of the Union or Place, and where there is no Board of Guardians, One of the Overseers of the Poor, may, if such Justices think it necessary for the Purposes of Public Justice, be bound over to prosecute.

Costs of Prosecution.

Clerk may be bound over to prosecute.

On Conviction for Assault Court may order Payment of Prosecutor's Costs by Defendant.

74. Where any Person shall be convicted on any Indictment of any Assault, whether with or without Battery and Wounding, or either of them, such Person may, if the Court think fit, in addition to any Sentence which the Court may deem proper for the Offence, be adjudged to pay to the Prosecutor his actual and necessary Costs and Expenses of the Prosecution, and such moderate Allowance for the Loss of Time as the Court shall by Affidavit or other Inquiry and Examination ascertain to be reasonable; and, unless the Sum so awarded shall be sooner paid, the Offender shall be imprisoned for any Term the Court shall award, not exceeding Three Months, in addition to the Term of Imprisonment (if any) to which the Offender may be sentenced for the Offence.

Such Costs may be levied by Distress.

75. The Court may, by Warrant under Hand and Seal, order such Sum as shall be so awarded to be levied by Distress and Sale of the Goods and Chattels of the Offender, and paid to the Prosecutor, and that the Surplus, if any, arising from such Sale, shall be paid to the Owner; and in case such Sum shall be so levied the Imprisonment awarded until Payment of such Sum shall thereupon cease.

Summary Proceedings in England may be under 11 & 12 Vict.

76. Every Offence hereby made punishable on summary Conviction may be prosecuted in *England* in the Manner directed by the Act of the Session holden in the Eleventh and Twelfth Years of Queen *Victoria*, Chapter Forty-three, and may be prosecuted

secuted in *Ireland* before Two or more Justices of the Peace, or One Metropolitan or Stipendiary Magistrate, in the Manner directed by the Act of the Session holden in the Fourteenth and Fifteenth Years of Queen *Victoria*, Chapter Ninety-three, or in such other Manner as may be directed by any Act that may be passed for like Purposes; and all Provisions contained in the said Acts shall be applicable to such Prosecutions in the same Manner as if they were incorporated in this Act: Provided that nothing in this Act contained shall in any Manner alter or affect any Enactment now in force relating to Procedure, in the Case of any Offence punishable on summary Conviction, within the City of *London* or the Metropolitan Police District, or the Recovery or Application of any Penalty or Forfeiture for any such Offence.

c. 43., and in Ireland under 14 & 15 Vict. c. 93., except in London and Metropolitan Police District.

77. The Court before which any Misdemeanor indictable under the Provisions of this Act shall be prosecuted or tried may allow the Costs of the Prosecution in the same Manner as in Cases of Felony; and every Order for the Payment of such Costs shall be made out, and the Sum of Money mentioned therein paid and repaid, upon the same Terms and in the same Manner in all respects as in Cases of Felony.

Costs of Prosecution of Misdemeanors may be allowed.

78. Nothing in this Act contained shall extend to *Scotland*, except as herein-before otherwise expressly provided.

Extent of Act.

79. This Act shall commence and take effect on the First Day of *November* One thousand eight hundred and sixty-one.

Commencement of Act.

C A P. CI.

An Act for promoting the Revision of the Statute Law by repealing divers Acts and Parts of Acts which have ceased to be in force. [6th *August* 1861.]

'WHEREAS with a view to the Revision of the Statute Law, and particularly to the Preparation of an Edition 'of the Statutes comprising only Enactments which are in force, 'it is expedient that divers Acts and Parts of Acts which have 'ceased to be in force otherwise than by express and specific 'Repeal should be expressly and specifically repealed:

'And whereas the Acts mentioned in the Schedule to this 'Act have so ceased to be in force to the Extent specified in 'the Third Column of the said Schedule:'

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The Acts mentioned in the Schedule to this Act shall be repealed to the Extent specified in the Third Column of the said Schedule, except as to any Operation already effected by, or Act done under, any Enactment herein comprised, or as to any Right, Title, Obligation, or Liability already acquired or accrued under any such Enactment.

Acts or Parts of Acts specified in Third Column of Schedule repealed.

2. This Act may be cited as The Statute Law Revision Act, 1861.

Short Title.

SCHE-

SCHEDULE.

Act.	Subject.	Extent of Repeal.
11 Geo. 3. c. 32. -	Militia Pay - - - -	The whole.
,, c. 38. -	Greenland and Whale Fishery -	The whole.
,, c. 55. -	Borough of New Shoreham Parliamentary Elections.	So much of Sect. 5. as relates to the Time for the proper Officer proceeding to Election.
12 Geo. 3. c. 29. -	Spurn Point Lighthouses - -	The whole.
,, c. 30. -	Salaries of Justices of Chester and Great Sessions in Wales.	The whole.
,, c. 46. -	Prevention of Frauds in Excise Revenue, Tea, Soap, Low Wines and Spirits.	So much as relates to the Manufacture of Low Wines and Spirits, and to Treble Costs.
,, c. 54. -	Oak Timber for Navy, Restraint on East India Company.	The whole.
,, c. 55. -	Trade between Great Britain and Ireland.	The whole.
,, c. 58. -	Encouragement of Herring Fishery, Isle of Man.	The whole.
,, c. 60. -	Drawback on Tea exported, &c. -	The whole.
,, c. 67. -	Incorporation of the Marine Society	So much as relates to Stamp Duty, to Limitation of Actions for anything done in pursuance of the Act, to pleading of General Issue, and to Double Costs.
13 Geo. 3. c. 23. -	Militia Pay - - - -	The whole.
,, c. 33. -	Preservation of Timber Trees -	The whole.
,, c. 44. -	Drawback of Customs Duty on Exportation of Tea to America, &c.	The whole.
,, c. 51. -	Discouragement of frivolous and vexatious Suits in the Courts at Westminster for Cause of Action arising in Wales.	The whole.
,, c. 56. -	Retailing of Spirits, and Duties on Printed Calicoes, &c.	Sect. 5.
,, c. 58. -	Providing of Clergymen for Gaols -	The whole.
,, c. 62. -	Regulation of the Assize and making of Bread.	The whole.
,, c. 67. -	Importation of printed or painted Paper.	The whole.
,, c. 72. -	Free Importation of Cod, &c. caught in the Gulf of St. Lawrence or on the Coast of Labrador.	The whole.
,, c. 73. -	Importation and Exportation, Dominica and Jamaica.	The whole.
,, c. 74. -	Tonnage of Vessels and Customs Duties.	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
13 Geo. 3. c. 80. -	Preservation of Game - -	The whole.
„ c. 81. -	Improvement of Commons -	So much as relates to Double Costs.
„ c. 82. -	Regulation of Lying-in Hospitals, and Settlement of Bastard Children born in them.	So much as relates to Treble Costs.
14 Geo. 3. c. 10. -	Exportation of Gum Senega -	The whole.
„ c. 64. -	Ascertaining of the Prices of Corn	The whole.
„ c. 65. -	Forfeited Estates (Scotland) Management.	The whole.
„ c. 70. -	Gold Recoinage - - -	The whole, except s.7.
„ c. 72. -	Duty on printed, &c. Stuffs manufactured in Great Britain.	The whole, except s.2.
„ c. 73. -	Distillation of Spirits, and Allowance to certain Manufacturers of the Duties on Soap.	The whole.
„ c. 74. -	Reduction of Duties upon Importation of Great Raisins.	The whole.
„ c. 78. -	Metropolitan Buildings Regulation, and Prevention of Mischiefs by Fire.	So much as relates to Time for Notice of Actions for anything done in pursuance of the Act, and to Treble Costs.
„ c. 79. -	Removal of Doubts concerning the Validity of Mortgages, &c. executed in Great Britain of Land, &c. in Ireland and the Colonies.	The whole.
„ c. 81. -	Election of Members of Parliament (Scotland).	The whole.
„ c. 92. -	Regulation of Weights used in weighing Gold and Silver Coin.	So much as relates to Salary of Officer to be paid by Warden of Mint.
15 Geo. 3. c. 1. -	Importation of Indian Corn and Maize.	The whole.
„ c. 10. -	Restraint of Commerce of Provinces of Massachuset's Bay, &c., and Colonies of Connecticut, &c.	The whole.
„ c. 18. -	Restraint of Commerce of Colonies of New Jersey, &c.	The whole.
„ c. 27. -	Admeasurement of Waggons, &c. used for loading Coals on board Ships.	So much as relates to Treble Costs.
„ c. 34. -	Encouragement of Manufacture of Rape Oil.	The whole.
„ c. 36. -	Issue of Speaker's Warrants for Writs for Election of Members in the Place of Members dying or becoming Peers during the Recess.	The whole.
„ c. 37. -	Importation of painted Earthenware	The whole.
„ c. 53. -	Copyright in Books given to the Universities, &c.	Sect. 6. and so much as relates to Plea of General Issue.
16 Geo. 3. c. 5. -	Prohibition of Trade and Intercourse with Colonies of New Hampshire, &c.	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
16 Geo. 3. c. 8. -	Importation of salted Beef, &c. from Ireland.	The whole.
,, c. 37. -	Exportation of Wheat, &c. to certain Colonies in America, &c.	The whole.
,, c. 42. -	Landing of Corn, &c. imported into Port of Preston.	The whole.
17 Geo. 3. c. 7. -	Granting of Commissions to Privateers to make Prize of Ships, &c.	The whole.
,, c. 8. -	East India Company, Election of Directors.	The whole.
,, c. 11. -	Prevention of Frauds and Abuses by Wool Combers, &c. in Yorkshire, Lancashire, and Cheshire.	Sects. 17, 18, 19, and so much as relates to Limitation of Actions for anything done in pursuance of the Act, as to pleading of General Issue, and as to Treble Costs.
,, c. 26. -	Registering of Grants of Life Annuities.	The whole.
,, c. 27. -	Allowance of Drawback of Duties of Customs on Exportation of Tea to Ireland.	The whole.
,, c. 33. -	Power to Master Dyers in Middlesex, Essex, Surrey, and Kent to employ Journeymen who have not served Apprenticeships.	The whole.
,, c. 39. -	Duties on Servants and on Glass, and on Persons having certain Quantities of Silver Plate.	The whole.
,, c. 40. -	Carrying of certain Captures into His Majesty's Dominions in North America.	The whole.
,, c. 50. -	Duties on Auctioneers Licences, Sales by Auction, and Instruments.	The whole, except s. 24.
,, c. 56. -	Prevention of Frauds by Persons employed in the Manufacture of Hats, &c.	Sect. 18. and so much as relates to Treble Costs.
,, c. 57. -	Copyright of Engravings - -	So much as relates to Double Costs.
18 Geo. 3. c. 14. -	Militia Pay and Supply of Vacancies in Militia.	The whole.
,, c. 16. -	Exportation of Wheat Flour, &c. to Newfoundland, &c.	The whole.
,, c. 18. -	Forgery of Acceptances of Bills, &c. with Intent to defraud Corporations.	The whole.
,, c. 24. -	Importation of Tobacco - -	The whole.
,, c. 25. -	Importation of Corn into certain Ports.	The whole.
,, c. 40. -	Customs - - - -	The whole.
,, c. 55. -	Exportation from Ireland to America, and Encouragement of the Fisheries, &c. of Ireland.	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
18 Geo. 3. c. 56. -	Importation of Cotton Yarn the Manufacture of Ireland Duty-free.	The whole.
,, c. 59. -	Militia and Fencibles - -	The whole.
19 Geo. 3. c. 21. -	Licensing and regulating of Lottery Office Keepers.	The whole.
,, c. 25. -	Additional Duties upon the Produce of Customs and Excise Duties.	The whole.
,, c. 29. -	Landing of Corn, &c. in the Isle of Wight without Payment of Duties.	The whole.
,, c. 40. -	Duties on Starch - - -	The whole.
,, c. 41. -	Drawback of Wine Duties on Exportation to certain Parts.	The whole.
,, c. 48. -	Encouragement of Shipping and Navigation.	The whole.
,, c. 50. -	Prevention of Frauds by private Distillers.	The whole.
,, c. 51. -	Duties on Horses, &c. - -	The whole.
,, c. 52. -	Duty on Pilchards - - -	The whole.
,, c. 53. -	Duties on Exportation of certain Cotton Wool, Discontinuance.	The whole.
,, c. 56. -	Duties on Auctioneers Licences and on Sales by Auction.	The whole.
,, c. 65. -	Augmentation of the Salaries of the Puisne Justices of the King's Bench and Common Pleas, and Barons of the Exchequer at Westminster.	The whole.
,, c. 66. -	Stamp Duties - - -	The whole.
,, c. 69. -	Prevention of Smuggling, &c. -	The whole.
,, c. 72. -	Militia and Fencibles - -	The whole.
,, c. 76. -	Augmentation of the Militia -	The whole.
20 Geo. 3. c. 8. -	Militia—Delivery of Certificates of Qualification to Clerks of the Peace.	The whole.
,, c. 30. -	Additional Duties upon Wines and Vinegar imported.	The whole.
,, c. 34. -	Additional Duties on Salt - -	The whole.
,, c. 35. -	Additional Duties on Malt and upon Spirits, &c.	The whole.
,, c. 44. -	Militia - - - - -	The whole.
,, c. 51. -	Duties on Licences to let Horses for Hire.	The whole.
,, c. 52. -	Additional Duties on Starch and Hair Powder imported, and on Starch and Sweets made in Great Britain.	The whole.
,, c. 60. -	Fisheries in the Greenland Seas and Davis's Straits.	The whole.
21 Geo. 3. c. 7. -	Augmentation of the Militia -	The whole.
,, c. 17. -	Additional Duty on the Produce of the Excise Duties.	The whole.
,, c. 32. -	Encouragement of the Manufacture of Verdigris.	The whole.
,, c. 34. -	Admeasurement of Coals, Westminster, &c.	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
21 Geo. 3. c. 51. -	Registration by Papists of their Names and Real Estates.	The whole.
,, c. 56. -	Duty on Almanacks - -	The whole.
,, c. 60. -	Agreement with Bank of England for advancing Two Millions.	The whole.
,, c. 68. -	Punishment of Stealers of Copper, Brass, &c. fixed to Houses.	The whole.
,, c. 69. -	Punishment of Receivers of stolen Pewter.	The whole.
22 Geo. 3. c. 21. -	Customs Duties - - -	The whole.
,, c. 28. -	Additional Duty upon Tobacco and Snuff, and Duties upon Importation of Brandy and Arrack.	The whole.
,, c. 31. -	Borough of Cricklade, Parliamentary Elections.	So much of s. 5. as relates to the Time for the proper Officer proceeding to Election.
,, c. 33. -	Stamp Duty upon Bills and Notes -	The whole.
,, c. 39. -	Duties on Salt - - -	The whole.
,, c. 49. -	Rectifying of a Mistake in an Act of this Session.	The whole.
,, c. 58. -	Discovery and Punishment of Buyers and Receivers of Stolen Goods.	The whole.
,, c. 61. -	Duty upon Bees Wax imported -	The whole.
,, c. 62. -	Militia - - - -	The whole.
,, c 64. -	Houses of Correction - -	The whole.
,, c. 66. -	Additional Duties of Customs and Excise.	The whole.
,, c. 68. -	Duties on Beer and Coaches, &c. -	The whole.
23 Geo. 3. c. 11. -	Customs, &c. Regulations - -	The whole.
,, c. 49. -	Duties on Bills of Exchange, &c. -	The whole.
,, c. 56. -	Allowance of Drawback of Customs on Exportation of Rice.	The whole.
,, c. 58. -	Stamp Duties - - -	The whole.
,, c. 62. -	Stamp Duty on Licences for vending Medicines, &c.	The whole.
,, c. 63. -	Duty on Stage Coaches, &c. -	The whole.
,, c. 65. -	African Company - - -	The whole.
,, c. 75. -	Duties on Smalts and Tobacco -	The whole.
,, c. 76. -	Prevention of Frauds in Landing of Wines, &c.	The whole.
,, c. 77. -	Encouragement of Manufacture of Flax and Cotton.	The whole.
,, c. 79. -	Encouragement of Growth of Coffee and Cocoa Nuts.	The whole.
,, c. 82. -	Regulation of the Receipt of the Exchequer.	The whole.
,, c. 83. -	East India Company—Allowance of further Time for Payment of their Debt to the Public.	The whole.
,, c. 88. -	Rogues and Vagabonds - -	The whole.
24 Geo. 3. Sess. 1. c. 7.	Duties on Bills of Exchange, &c. -	The whole.
,, c. 12. -	Removal of Prisoners and Transportation.	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
24 Geo. 3. Sess. 1. c. 13.	Militia Pay, &c. - - -	The whole.
24 Geo. 3. Sess. 2. c. 3.	Prevention of Frauds and Abuses by Persons employed in Woolcombing, &c., Suffolk.	Sects. 19, 20, 21, and so much as relates to Limitation of Actions for anything done in pursuance of the Act, as to pleading of General Issue, and as to Treble Costs.
,, c. 11. -	Additional Duties upon Candles -	The whole.
,, c. 16. -	Customs, &c. Duties - -	The whole, except so much as relates to the Duties payable to the Corporation of London.
,, c. 30. -	Additional Duty upon Licences for retailing Beer, &c.	The whole.
,, c. 34. -	East India Company - -	The whole.
,, c. 36. -	Duties on Wax Candles - -	The whole.
,, c. 38. -	Duties on Tea, Inhabited Houses, and Cocoa Nuts and Coffee.	The whole.
,, c. 40. -	Duties on Linens, printed, painted, stained, or dyed in Great Britain, &c.	The whole.
,, c. 41. -	Duties on Licences to be taken out by the Makers of and Dealers in certain Exciseable Commodities.	The whole.
,, c. 43. -	Duties on Certificates for killing Game.	The whole
,, c. 46. -	Duties on Spirits - - -	The whole.
,, c. 48. -	Duties on Starch and Soap -	The whole.
,, c. 49. -	Duties upon Silk imported, and Drawbacks upon Exportation of Silk Manufactures.	The whole.
,, c. 51. -	Duty on Licences for vending Hats, &c.	The whole.
,, c. 53. -	Duties on Gold and Silver Plate imported, and on Gold and Silver wrought Plate made in Great Britain.	Customs Duties and Stamp Duties granted by.
,, c. 54. -	Gaols - - - -	The whole.
,, c. 55. -	Houses of Correction - -	The whole.
25 Geo. 3. c. 22. -	Distillation of Spirits in small Stills in certain Counties in the Highlands.	Duty granted by.
,, c. 40. -	Prevention of Frauds by Woolcombers, &c. in certain Counties.	Sects. 21, 22, 23, and so much as relates to Limitation of Actions for anything done in pursuance of the Act, as to pleading of General Issue, and as to Treble Costs.
,, c. 46. -	Transportation, &c. - -	The whole.
,, c. 48. -	Duties on Pawnbrokers Licences -	Duties granted by.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
25 Geo. 3. c. 49. -	Duties on Coachmakers Licences, and on Carriages built for Sale.	The whole.
,, c. 50. -	Duties on Certificates for killing Game.	The whole.
,, c. 58. -	Encouragement of the Pilchard Fishery.	The whole.
,, c. 63. -	Salt Duties - - - -	The whole.
,, c. 65. -	Encouragement of the Fisheries -	The whole.
,, c. 69. -	Duties upon Oil Flasks, &c. -	The whole.
,, c. 72. -	Duties on Linens printed, &c. in Great Britain, &c.	The whole.
,, c. 73. -	Allowance to Brewers for Waste -	The whole.
,, c. 74. -	Duties on Tea—Exportation of Exciseable Commodities, &c.	Duties granted by, and Sects. 16–21. and 25–31.
,, c. 80. -	Duties on Attorneys Certificates, &c.	Duties granted by.
26 Geo. 3. c. 25. -	Appointment of Governor General and Council of Fort William in Bengal.	The whole.
,, c. 36. -	Salt Duties—Importation and Exportation, Isle of Man.	The whole.
,, c. 38. -	Imprisonment under Process of Small Debts Courts, &c.	The whole, except Sects. 7. and 8.
,, c. 40. -	Production of Manifests, &c. -	The whole, except ss. 18. and 19.
,, c. 41. -	Fisheries in the Greenland Seas and Davis's Straits.	The whole.
,, c. 42. -	Additional Duty upon Battens and Deals imported.	The whole.
,, c. 46. -	Salaries of Judges (Scotland) -	The whole.
,, c. 48. -	Stamp Duties (Scotland) - -	Duties granted by.
,, c. 49. -	Stamp Duties on Perfumery -	The whole.
,, c. 51. -	Duties on Starch - - -	The whole.
,, c. 59. -	Duties on Wine - - -	Duties granted by.
,, c. 64. -	Duties on Spirits (Scotland) -	Duties granted by.
,, c. 73. -	Duties on Spirits - - -	Duties granted by.
,, c. 74. -	Additional Duties on Sweets, &c. -	Excise Duty granted by.
,, c. 77. -	Excise Duties - - -	Sects. 5, 6, 7, 9.
,, c. 82. -	Stamp Duties, and Duties on Policies of Fire for Insurance as to Property abroad.	Sect. 7.
,, c. 90. -	Salt Duties; making of Mineral Alkali or Flux for Glass.	The whole.
,, c. 91. -	Regulation of Madhouses - -	The whole.
,, c. 99. -	Ascertaining of Fees to be taken by Officers of the Exchequer.	The whole.
27 Geo. 3. c. 19. -	Shipping and Navigation - -	The whole.
,, c. 27. -	Importation and Exportation, West Indies.	The whole.
,, c. 29. -	Objections to Competency of Witnesses.	The whole.
,, c. 30. -	Additional Duties on Licences for the retailing of Spirituous Liquors.	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
27 Geo. 3. c. 31. -	Allowances to Dealers in Foreign Wines for certain Wines in Stock—Amendment of Excise Laws.	The whole, except Sect. 25.
„ c. 43. -	County Palatine of Chester—Swearing of Affidavits, &c.	The whole.
28 Geo. 3. c. 27. -	Reduction of Duties on Importation of Goods from the United Provinces.	The whole.
„ c. 28. -	Exemption of Stipendiary Curates Licences from Stamp Duties.	The whole.
„ c. 33. -	Alteration of Duties and Drawbacks on certain Wine, &c.	The whole.
„ c. 34. -	Quarantine and Customs - -	The whole.
„ c. 37. -	Certain Duties of Excise and Customs.	The whole, except Sect. 15.
„ c. 38. -	Exportation of Sheep, &c. - -	The whole.
„ c. 49. -	Power for Justices to act out of the Counties in which they are.	The whole.
„ c. 53. -	Indemnifying Persons against certain Penalties incurred in the Coal Trade, and preventing Combinations in the Coal Trade.	The whole.
29 Geo. 3. c. 26. -	Duty on Hawkers, &c. - -	The whole.
„ c. 49. -	Duties on Horses and Carriages -	The whole.
„ c. 50. -	Additional Duties on Newspapers, Advertisements, Cards, and Dice.	The whole.
„ c. 51. -	Additional Stamp Duties on Probate of Wills, &c.	Duties granted by.
„ c. 53. -	Encouragement of the Newfoundland, Greenland, and Southern Whale Fisheries.	The whole.
„ c. 59. -	Drawback on Exportation of Teas to Guernsey, &c.	The whole.
„ c. 63. -	Exemption of Piece Goods woven in this Kingdom from Auction Duty. Licences for selling Spirituous Liquors, &c.	Sects. 1, 2, 3, 4.
„ c. 67. -	Regulation of Gaols - -	The whole.
30 Geo. 3. c. 4. -	Exemption of unwrought Tin, exported to certain Parts, from Customs Duty.	The whole.
„ c. 26. -	Exemption of Goods imported from Yucatan from Auction Duty, &c.	The whole.
„ c. 27. -	Encouragement of new Settlers in the Colonies of America.	The whole.
„ c. 28. -	Duty on Cashew Gum imported from the West Indies.	The whole.
„ c. 37. -	Duties on Spirits (Scotland) -	Duty granted by.
„ c. 38. -	Duties on Licences for retailing Wine, &c.	Duty granted by.
„ c. 41. -	Importations from North America of Rape Seed, &c.	The whole.
31 Geo. 3. c. 1. -	Duties on Worts and Spirits, &c. -	The whole.
„ c. 5. -	Additional Duties on Amount of Assessed Taxes.	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
31 Geo. 3. c. 15. -	Duty on Sugar imported - -	The whole.
,, c. 21. -	Duty on Certificates for killing Hares.	The whole.
,, c. 25. -	Duties on Bills of Exchange, &c. -	Duties granted by.
,, c. 26. -	Importation of Seal Skins - -	The whole.
,, c. 27. -	Duties on Tanned Goat Skins, &c. -	The whole.
,, c. 37. -	Importation of Silk Crapes, &c. of the Manufacture of Italy.	The whole.
,, c. 42. -	Indemnity in respect of a certain Order in Council. Duties on Importation of Salt Petre.	The whole.
,, c. 43. -	Continuance of several Laws, &c. -	The whole.
,, c. 46. -	Regulation of Gaols - -	The whole.
,, c. 47. -	Importation and Exportation of Tobacco and Snuff.	The whole.
,, c. 51. -	Protection of the Oyster Fisheries	The whole.
,, c. 55. -	Establishment of the Sierra Leone Company.	The whole.
,, c. 56. -	Prevention of Frauds and Abuses by Wool Combers, &c. in Norfolk.	Sects. 22, 23, 24, and so much as relates to Limitation of Actions for anything done in pursuance of the Act, as to pleading of General Issue, and as to Treble Costs.
32 Geo. 3. c. 9. -	Exportation of Tea to Ireland or America.	The whole.
,, c. 10. -	Execution of Warrants for Apprehension of Persons convicted of Offences against Excise Laws.	The whole.
,, c. 11. -	Sales by Auction - - -	The whole.
,, c. 12. -	Grant towards Reduction of National Debt.	The whole.
,, c. 22. -	Encouragement of Fisheries in Greenland Seas and Davis's Straits.	The whole.
,, c. 37. -	Importation and Exportation at certain Ports.	The whole.
,, c. 41. -	Auction Duty - - -	The whole.
,, c. 45. -	Rogues and Vagabonds - -	The whole.
,, c. 48. -	Sessions of the Peace and of Oyer and Terminer for Middlesex.	The whole.
,, c. 49. -	Importation of Quercitron, &c. -	The whole.
,, c. 51. -	Exemption of Letters between Merchants from Stamp Duty.	The whole.
,, c. 54. -	Duties on Foreign printed, &c., Papers.	The whole.
,, c. 55. -	Reduction of National Debt -	The whole.
,, c. 65. -	Trade into Levant Seas - -	The whole.
33 Geo. 3. c. 5. -	Relief of Debtors from Imprisonment.	The whole.
,, c. 22. -	Grant towards Reduction of National Debt.	The whole.
,, c. 23. -	Quality of Table Beer - -	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
33 Geo. 3. c. 28.	Loan on Annuities, Excise Duties, &c.	So much as relates to Excise Duties, Assessed Taxes, Consolidated Fund, and Treble Costs.
,, c. 29.	Exchequer Bills for Loans	The whole.
,, c. 30.	Prevention of Forgeries and Frauds in Transfer of Funds transferable at the Bank of England.	The whole.
,, c. 33.	Making of Salt	The whole.
,, c. 57.	Regulation of warehoused Tobacco	The whole.
,, c. 58.	Premiums to Ships carrying on Southern Whale Fishery.	The whole.
,, c. 61.	Distilleries (Scotland)	Duties granted by.
,, c. 63.	Importation into Great Britain of certain Goods imported into Ireland.	The whole.
,, c. 68.	Judgments of Courts of Great Sessions, &c. of Wales, Cheshire, Lancaster, and Durham, and County Courts in Wales.	So much as relates to Court of Great Sessions in Wales.
,, c. 69.	Duties on Coal, Licences for Sale of Spirits, &c. (Scotland).	Duties granted by.
34 Geo. 3. c. 2.	Additional Duties upon Worts, Wash, &c. in England, and upon Spirits in Scotland.	The whole.
,, c. 3.	Additional Duties on Spirits imported.	The whole.
,, c. 4.	Duties on Spirits and Sugar imported.	The whole.
,, c. 14.	Stamp Duties on Indentures of Clerkship to Solicitors and Attornies.	Duties granted by.
,, c. 21.	Annuities and Payment of Navy and Victualling Bills.	Sect. 18.
,, c. 33.	Duties of Excise	The whole.
,, c. 42.	Grant to Foreign Ships put under His Majesty's Protection of the Privileges of Prize Ships, &c.	The whole.
,, c. 45.	Establishment of a Court of Criminal Jurisdiction in Norfolk Island.	The whole.
,, c. 48.	Grant towards Reduction of National Debt.	The whole.
,, c. 63.	Allowing of the Exercise of an Invention of a new Method of tanning Hides and Skins.	The whole.
,, c. 75.	Management of Land Revenues of Crown.	The whole.
35 Geo. 3. c. 10.	Additional Duties of Excise on Foreign Wine and Sweets.	The whole.
,, c. 11.	Additional Duties of Excise on Worts, Wash, &c. for Spirits, and Use of Wheat in making Wash.	The whole.
,, c. 12.	Additional Duties of Excise on Foreign Spirits.	The whole.

Statute Law Revision.

Act.	Subject.	Extent of
35 Geo. 3. c. 13. -	Additional Duties of Excise on Tea, Coffee, and Cocoa Nuts.	The whole.
,, c. 20. -	Duties of Customs - - -	The whole.
,, c. 23. -	Grant towards the Reduction of the National Debt.	The whole.
,, c. 30. -	Stamp Duties - - -	The whole.
,, c. 31. -	Prevention of Smuggling - -	The whole.
,, c. 38. -	Continuance of various Laws -	The whole.
,, c. 49. -	Duty on Hair Powder Certificates -	The whole.
,, c. 59. -	Duties on Scotch Distilleries, &c. -	The whole.
,, c. 89. -	Duties on Spirits - - -	The whole.
,, c. 91. -	Regulation of Hawkers and Pedlars	The whole.
,, c. 93. -	Guarantee of Dividends on Loan to Emperor of Germany.	The whole.
,, c. 96. -	Relief of Persons detained in Gaol for Want of Bail in certain Cases relating to the Revenue.	The whole.
,, c. 97. -	Duties of Excise on tanned Hides and Skins.	The whole.
,, c. 109. -	Carriage Duties - - -	The whole.
,, c. 110. -	Drawback on Exportation of Sugar	The whole.
,, c. 117. -	Importation of Rape and other Seeds	The whole.
,, c. 118. -	Warehousing of Wines, &c. -	The whole.
36 Geo. 3. c. 13. -	Additional Excise Duties on Tobacco and Snuff.	The whole.
,, c. 14. -	Additional Duties on Amount of Duties under Commissioners of Taxes.	The whole.
,, c. 18. -	Drawbacks and Bounties on Exportation of Sugar.	The whole.
,, c. 19. -	Duties on Salt - - -	The whole.
,, c. 22. -	Making of Bread - - -	The whole.
,, c. 53. -	Exportation of Rock Salt - -	The whole.
,, c. 55. -	Making of Port of Scarborough (Island of Tobago) a free Port.	The whole.
,, c. 78. -	Duty on Mahogany imported -	The whole.
,, c. 79. -	Duty on Black Lead imported -	The whole.
,, c. 105. -	Grant towards Reduction of the National Debt.	The whole.
,, c. 113. -	Importation of Arrowroot, &c. -	The whole.
,, c. 123. -	Additional Duties on Foreign Wines and British Sweets.	The whole.
,, c. 125. -	Duty on Hats - - -	The whole.
37 Geo. 3. c. 14. -	Excise Duties on various Matters -	The whole.
,, c. 15. -	Duties of Customs - - -	The whole.
,, c. 16. -	Additional Stage Coach Duties -	The whole.
,, c. 17. -	Additional Duties on Distilleries (Scotland), &c.	The whole.
,, c. 18. -	Postage - - - -	The whole.
,, c. 26. -	More speedy Payment of Navy, Victualling, and Transport Bills.	The whole.
,, c. 28. -	Issue of Bank of England Notes under 5*l*.	The whole.
,, c. 59. -	Loan to the Emperor of Germany -	The whole.
,, c. 63. -	Grant to Foreign Ships put under His Majesty's Protection of the Privileges of Prize Ships, &c.	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
37 Geo. 3. c. 69. -	Additional Duties on Amount of certain Duties under the Management of Commissioners of Taxes.	The whole.
,, c. 77. -	Making of Port of San Josef in Trinidad a free Port.	The whole.
,, c. 102. -	Scotch Distilleries - - -	The whole.
,, c. 105. -	Additional Duties on Inhabited Houses.	The whole.
,, c. 108. -	Duties on Clocks and Watches -	The whole.
,, c. 110. -	Customs Duties - - -	The whole.
,, c. 111. -	Additional Stamp Duty on Deeds -	The whole.
,, c. 115. -	Grant towards Reduction of National Debt.	The whole.
,, c. 118. -	Height between Decks of Vessels carrying Slaves.	The whole.
,, c. 121. -	Encouragement of the Southern Whale Fisheries.	The whole.
,, c. 124. -	Frauds by Bankrupts Prevention -	The whole.
,, c. 141. -	Sending and receiving of Letters free of Postage by Deputy Clerk of House of Commons.	The whole.
38 Geo. 3. c. 13. -	Augmentation of 60th Regiment by Enlistment of Foreigners, &c.	The whole.
,, c. 16. -	Grant of an Aid and Contribution for the Prosecution of the War.	The whole.
,, c. 39. -	Importation and Exportation, West Indies.	The whole.
,, c. 42. -	Excise Duty on Tea, &c. - -	The whole.
,, c. 43. -	Additional Duties on Salt - -	The whole.
,, c. 45. -	Purchase of Debts due to the Governments of Switzerland, &c.	The whole.
,, c. 47. -	Grant for Reduction of National Debt.	The whole.
,, c. 50. -	Aliens - - - -	The whole.
,, c. 53. -	Duties on Certificates issued with respect to Armorial Bearings or Ensigns.	The whole.
,, c. 54. -	Laws of Excise Amendment -	The whole.
,, c. 62. -	Assize of Bread - - -	The whole.
,, c. 71. -	Copyright of Models, &c. - -	The whole.
,, c. 81. -	Aid and Contribution for Prosecution of the War.	The whole.
,, c. 85. -	Stamp Duties - - -	The whole, except Sections 4 and 5.
,, c. 89. -	Salt Duties - - - -	The whole.
,, c. 92. -	Scotch Distilleries - - -	The whole.
39 Geo. 3. c. 13. -	Duties on Income - - -	The whole.
,, c. 22. -	Duties on Income - - -	The whole.
,, c. 38. -	Continuance of various Acts relating to Importation, &c.	The whole.
,, c. 42. -	Duties on Income - - -	The whole.
,, c. 45. -	Making perpetual of Enactment altering Punishment of Burning in the Hand.	The whole.
,, c. 63. -	Duties on Sugar and Coffee -	The whole.
,, c. 64. -	Grant for Reduction of National Debt.	The whole.

Statute Law Revision.

Act.	Subject.	Extent
39 Geo. 3. c. 65. -	Bounty on Pilchards exported and Salt Duties.	The whole
,, c. 72. -	Duties on Income - - -	The whole
,, c. 75. -	Prohibition of Exportation of Light Silver Coin of the Realm, &c.	The whole
,, c. 77. -	Salt Duties - - - -	The whole
,, c. 78. -	Duties on Distilleries (Scotland) -	The whole
,, c. 80. -	Carrying of Slaves from Africa -	The whole
,, c. 83. -	Transfer to Commissioners for auditing Public Accounts of Duties of Auditors of Land Revenue.	The whole
,, c. 85. -	Embezzlement - - -	The whole
,, c. 94. -	Salary of Master and Worker of the Mint.	The whole
,, c. 99. -	Trade to the Levant Seas, and Reduction of certain Export Duty.	The whole
,, c. 104. -	Augmentation of the 60th Regiment by Enlistment of Foreigners.	The whole
,, c. 107. -	Stamp Duties on Bills of Exchange and Promissory Notes.	Duties in s. 25.
39 & 40 Geo. 3. c. 11.	Appropriation of certain Duties -	The whole
,, c. 23.	Duties of Excise on Spirits and Tea	The whole
,, c. 26.	Grant towards Reduction of National Debt.	The whole
,, c. 32.	Exemptions from Duties on Hair Powder, and Horses of Officers in the Navy, and Persons in Volunteer Cavalry Corps.	The whole
,, c. 44.	Allowances to Adjutants, &c. of Militia (England).	The whole
,, c. 45.	Perpetuation of an Act relating to Duties on Glass, and Continuance of various Acts.	The whole
,, c. 49.	Duties on Income - - -	The whole
,, c. 55.	Salaries of Scotch Judges - -	The whole
,, c. 60.	Duties on Wine, &c., imported from the Cape of Good Hope.	The whole
,, c. 72.	Amendment of Law relating to Stamp Duties.	Sects. 3, and 19.
,, c. 73.	Duties on Distillation (Scotland) -	The whole
,, c. 74.	Price and Assize of Bread - -	The whole
,, c. 95.	Indemnity to Printers of Public Documents against certain Penalties.	The whole
,, c. 96.	Duties on Income - - -	The whole
41 Geo. 3. (G.B.) c. 21.	Use of Salt, Duty-free, in preserving Fish; Protection from Impressment; and Discontinuance of Bounty on White Herrings.	The whole
,, c. 22.	Appointment of Commissioners for Examination of Accounts of Expenditure in the West Indies during present War.	The whole
,, c. 23.	Making of the Port of Amsterdam, in the Island of Curaçao, a Free Port.	The whole

Statute Law Revision.

Act	Subject.	Extent of Repeal.
41 Geo. 3. (G.B.) c. 25.	Importation of undressed Hemp from Countries within the Limits of the exclusive Trade of the East India Company, free of Duty.	The whole.
" c. 30.	Amendment of Act for erecting a Lazaret at Chetney Hill, and reducing into One Act the Laws relating to Quarantine, &c.	The whole.
41 Geo. 3. (U.K.) c. 10.	Additional Stamp Duties on Bills, &c. and Deeds.	The whole.
" c. 28.	Certain Customs' Duties - -	The whole.
" c. 29.	Additional Duty on English Spirits imported into Scotland, &c.	The whole.
" c. 33.	Duties on Tea, Sugar, and Coals (Ireland).	The whole.
" c. 42.	Sale of Elephant Oil free of Auction Duty (Great Britain).	The whole.
" c. 48.	Licences for Sale of Wine, Ale, &c. (Ireland).	The whole.
" c. 62.	Exemption of Irish Members of Parliament, &c. from Payment of certain Duties.	The whole.
" c. 65.	Grant towards Redemption of National Debt.	The whole.
" c. 68.	Duties and Drawbacks on Copper -	The whole.
" c. 74.	Drawbacks on Sugar, &c. (Ireland)	The whole.
" c. 80.	Indemnity to Printers of Public Documents against certain Penalties.	The whole.
" c. 86.	Additional Stamp Duties on Cards, Dice, Probates of Wills, Deeds, Ale Licences, &c., (Great Britain).	The whole, except Sect. 3.
" c. 87.	Duties of Customs on Playing Cards (Great Britain).	The whole.
" c. 89.	Duty on Importation of Statues -	The whole.
" c. 91.	Regulation, &c. of certain Excise Duties.	The whole.
" c. 98.	Militia Pay (Ireland) - -	The whole.
42 Geo. 3. c. 14. -	Manufacture of Starch from Potatoes, &c.	The whole.
" c. 20. -	Duties on Rum for Ships' Stores; Exportation and Importation, &c.	The whole.
" c. 24. -	Duties on Cinnamon, Cassia Lignea, &c.	The whole.
" c. 34. -	Additional Duties on Windows and on Inhabited Houses (Great Britain).	The whole.
" c. 37. -	Additional Duties on Servants, Carriages, Horses, Mules, and Dogs (Great Britain).	The whole.
" c. 38. -	Additional Duties on Beer, Ale, Malt, and Hops (Great Britain); on Spirits (Ireland), &c.	The whole.
" c. 43. -	Duties of Customs and Tonnage (Great Britain).	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
42 Geo. 3. c. 47. -	Duties on Sugar and Coffee exported, &c. (Great Britain).	The whole.
,, c. 56. -	Stamp Duties - - -	Duties imposed.
,, c. 61. -	Encouragement of Irish Mariners, &c.	The whole.
,, c. 66. -	Yeomanry and Volunteers - -	The whole.
,, c. 70. -	Public Accounts - - -	The whole.
,, c. 71. -	Reduction of the National Debt -	The whole.
,, c. 77. -	Pacific Ocean Fisheries - -	The whole.
,, c. 93. -	Duties of Excise on Wines, Home made Spirits, &c.	The whole.
,, c. 103. -	Repeal, &c. of certain Duties (Ireland).	The whole.
,, c. 112. -	Grant towards the Redemption of National Debt.	The whole.
,, c. 117. -	Additional Import and Export Duties (Ireland).	The whole.
43 Geo. 3. c. 2. -	Enrolment of Militia (Ireland) -	The whole.
,, c. 7. -	Payment of Navy, Victualling, and Transport Bills.	The whole.
,, c. 19. -	Militia, Extension of Period of Training and Exercise (Great Britain).	The whole.
,, c. 33. -	Enrolment of Militia (Ireland) -	The whole.
,, c. 48. -	East India Company Volunteer Corps.	The whole.
,, c. 69. -	Excise Duties (Great Britain) -	The whole.
,, c. 90. -	Enlargement of the Limits of the Southern Whale Fishery.	The whole.
,, c. 92. -	Import and Export Duties, &c. (Ireland).	The whole.
,, c. 98. -	Collection of Revenue upon Malt; Regulation of Distilling Trade (Ireland).	The whole.
,, c. 113. -	Wilful casting away of Vessels, &c.	The whole.
,, c. 118. -	Discovery of Longitude at Sea, &c.	The whole.
,, c. 124. -	Additional Military Force, and Militia; Exemptions from (Scotland).	The whole.
,, c. 130. -	Duties on Auctioneers, &c. -	The whole.
,, c. 131. -	Additional Customs Duty on Lignum Quassia (Great Britain).	The whole.
,, c. 152. -	Pilots of Dover, Deal, and Isle of Thanet.	The whole.
,, c. 158. -	Grant for building Glebe Houses (Ireland).	The whole.
44 Geo. 3. c. 18. -	Volunteers and Yeomanry (Great Britain).	The whole.
,, c. 33. -	Augmentation of Militia (Ireland) -	The whole.
,, c. 44. -	Newfoundland Trade, Exemption of Vessels from Passenger Act.	The whole.
,, c. 49. -	Additional Duties on Wine imported (Great Britain).	The whole.
,, c. 58. -	Laying of certain Public Accounts before Parliament (Ireland).	The whole.
,, c. 71. -	Counterfeit Dollars and Tokens (England and Ireland).	The whole.

Statute Law Revision.

Act	Subject.	Extent of Repeal.
44 Geo. 3. c. 102.	Habeas Corpus ad Testificandum (England and Ireland).	Sect. 2.
45 Geo. 3. c. 14.	Additional Salt Duties (Great Britain).	The whole.
" c. 29.	Additional Customs Duties (Great Britain).	The whole.
" c. 30.	Additional Duties of Excise (Great Britain).	The whole.
" c. 42.	Counterfeiting of Bank of Ireland Silver Tokens, &c.	The whole.
" c. 44.	Duty on Slates brought Coastwise within Great Britain.	The whole.
" c. 45.	Additional Duties on Wine imported, and Drawbacks to Naval Officers.	The whole.
" c. 53.	Collection of Malt Duties and Regulation of the Trade of Maltsters (Ireland).	The whole.
" c. 67.	Additional Duties on Spanish Red Wine (Great Britain).	The whole.
" c. 75.	Appointments to certain Offices in the Court of Chancery made during Vacancy of the Office of Register, &c.	The whole.
" c. 88.	Duties on Cochineal Dust and Granilla.	The whole.
" c. 91.	Appointment of additional Commissioners for auditing Public Accounts.	The whole.
" c. 93.	Drawbacks and Bounties on Sugar exported from Great Britain.	The whole.
" c. 98.	Increase of Drawback on Linens exported from Great Britain to West Indies.	The whole.
" c. 100.	Distillation of Spirits in England for Exportation to Scotland, and vice versâ, &c.	The whole.
" c. 103.	Additional Duties on Importation of Straw Platting, Hats, and Bonnets.	The whole.
" c. 123.	Grant of Annuity to Duke of Atholl and Heirs general of Seventh Earl of Derby.	The whole.
46 Geo. 3. c. 11.	Exportation of Corn, &c. for the Use of His Majesty's Forces and Garrisons.	The whole.
" c. 35.	Exemption from Stamp Duties of Notes, &c. of the Bank of Ireland.	The whole.
" c. 39.	Customs and Excise Duties upon Tea.	The whole.
" c. 44.	Certain Wine Duties carried to the Consolidated Fund.	The whole.
" c. 45.	Office of Treasurer of the Ordnance	The whole.
" c. 52.	Slave Trade - - -	The whole.
" c. 64.	Stamp Duties (Ireland) - -	The whole.
" c. 75.	Office of Receiver General of Excise Duties (England).	The whole.

Statute Law Revision.

Act.	Subject.	Extent
46 Geo. 3. c. 78. -	Increase in Amount of Assessed Taxes (Great Britain).	The whol
,, c. 87. -	Consolidation and Amendment of Laws relating to Collection of Customs Duties, and Payment of Drawbacks (Ireland).	The whol
,, c. 97. -	Free Interchange of Grain between Great Britain and Ireland.	The whol
,, c. 102. -	Duties on Stills and Spirits, &c. (Scotland).	The whol
,, c. 109. -	Bounty on refined Sugar, &c. (Great Britain).	The whol
,, c. 110. -	Additional Bounty on Silk Manufactures (Great Britain).	The whol
,, c. 114. -	Drawback on Linens exported to the West Indies.	The whol
,, c. 115. -	Exportation of Raisins, Currants, and Figs from Great Britain, Duty-free.	The whol
,, c. 124. -	Volunteers from Irish Militia -	The whol
,, c. 128. -	Salaries and retiring Allowances to Masters in Chancery.	The whol
,, c. 138. -	Excise; Countervailing Duty on Hops, Window Glass, &c. (Ireland). Exemption of Draining Tiles.	Duties an on Glas
,, c. 142. -	Office of Surveyor-General of Woods and Forests.	The whol
,, c. 151. -	Crown Lands; New Leases on former Rents for Charitable Institutions, &c.	The whol
47 Geo. 3. Sess. 1. c. 7.	Interchange of Grain between Great Britain and Ireland.	The whol
,, c. 12. -	Abolition and Regulation of Offices in the Customs (Ireland).	The whol
,, c. 18. -	Excise Duties and Taxes (Ireland) -	Duties or Made W
,, c. 19. -	Drawbacks on Sugar, &c. (Ireland)	The whol
,, c. 35. -	Duties on Excise Licences (Ireland)	The whol
,, c. 36. -	Abolition of the Slave Trade -	The whol
,, c. 38. -	Paper Duties (Ireland) - -	The whol
,, c. 40. -	Duties, &c. on Malt and Spirits (Ireland).	The whol
,, c. 47. -	Prize Money on Captures by Foreign, in conjunction with British, Ships.	The whol
,, c. 50. -	Stamp Duties (Ireland) - -	The whol
,, c. 55. -	Charge of Loan upon War Duties of Customs, &c.	The whol
47 Geo. 3. Sess. 2. c. 10.	Export of salted Beef and Pork (Ireland).	The whol
,, c. 11. -	Assessed Taxes, Excise Duties, &c. Recovery of Penalties (Ireland).	The whol
,, c. 14. -	Excise and Stamp Duties (Ireland)	The whol
,, c. 16. -	Duties, &c. on Importation and Exportation.	The whol

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
47 Geo. 3. Sess. 2. c. 19.	Trade of rectifying Spirits (Ireland)	The whole.
„ c. 20. -	Power to appoint the Chancellor of the Exchequer of Ireland one of the Commissioners of the Treasury in England.	The whole.
„ c. 23. -	Grant for Glebe Houses (Ireland) -	The whole.
„ c. 30. -	Excise Duties, &c. (Great Britain)	The whole.
„ c. 34. -	Importation and Exportation, Port of Amsterdam, Curaçoa.	The whole.
„ c. 44. -	Sierra Leone Company - -	Section 4.
„ c. 53. -	Power for Postmaster-General to open and return Letters directed to Places abroad, but not delivered.	The whole.
„ c. 56. -	Increase of Militia (Ireland) -	The whole.
„ c. 63. -	Excise Duties and Drawback on Silks.	The whole.
„ c. 65. -	Exemption from Auction Duty of certain Sales by West India Dock Company.	The whole.
48 Geo. 3. c. 2. -	Duties on Malt, Sugar, Tobacco, and Snuff in Great Britain, and on Pensions and Offices in England.	The whole.
„ c. 9. -	Abolition of the Office of Surveyor of Subsidies and Petty Customs in the Port of London.	The whole.
„ c. 30. -	Trade between Ireland and the East Indies.	The whole.
„ c. 31. -	Counterfeiting of Bank of Ireland Silver Tokens, and Circulation of same.	The whole.
„ c. 41. -	Repeal of certain Excise Duties, and Grant of Stamp Duties in lieu thereof, &c. (Ireland).	The whole.
„ c. 55. -	Assessed Taxes and Stamp Duties on Game Certificates.	So much of Section 7. as enacts that "every "Receiver General "shall have an Allowance of Three "Halfpence in the "Pound on all Monies by him received and paid "into the Receipt of "Exchequer, or duly "accounted for according to the "Course of His Majesty'sExchequer."
„ c. 56. -	Abolition of Fees received by Customs Officers in Irish Ports, and Hours of Attendance and Holidays of said Officers and Officers of Excise.	The whole.
„ c. 57. -	Duties of Customs on ready-made Corks.	The whole.

Statute Law Revision.

Act.	Subject.	Exten
48 Geo. 3. c. 62. -	Collection of Revenues of Customs and Excise (Ireland).	The whe
,, c. 64. -	Militia Enlistment into the Army (Ireland).	The whe
,, c. 68. -	Extension of Bounty on Pilchards exported.	The whe
,, c. 74. -	Collection of Malt Duties (Great Britain).	The whe
,, c. 78. -	Malt and Spirit Duties (Ireland) -	The whe
,, c. 91. -	Examination of Accounts of Public Expenditure in West Indies.	The whe
,, c. 99. -	Warehousing of Prize Goods liable to Duty, and Reduction of Strength of Spirits condemned as Prizes.	The whe
,, c. 107. -	Returns of Fines, &c., under Acts relating to the Defence of the Realm.	The whe
,, c. 117. -	Duties upon painted or stained Silks	The whe
,, c. 119. -	Regulation of Duties on Spirits imported into Great Britain according to the Strength.	The whe
,, c. 120. -	Duties on Coffee, and warehousing the same, and Cocoa.	The whe
,, c. 121. -	Duties on Coffee taken out of Warehouses for Home Consumption.	The whe
,, c. 122. -	Vesting in the Commissioners for the Affairs of Barracks, of all Property occupied for the Barrack Service, &c.	The whe
,, c. 129. -	Larceny from the Person - -	The whe
,, c. 143. -	Stamp Duties on Licences for selling Exciseable Liquors by retail.	Duties g
,, c. 145. -	Annuities to the Judges of the Courts of Session, &c., on Resignation (Scotland).	As to A Baron chequ
49 Geo. 3. c. 4. -	Militia (Great Britain) Enlistment into the Army.	The whe
,, c. 5. -	Militia (Ireland) Enlistment into the Army.	The whe
,, c. 9. -	Importation of Flax Seed into Ireland.	The whe
,, c. 24. -	Excise Duty on Spent Wash redistilled (Great Britain).	So far Engla
,, c. 33. -	Excise Duty on Spirits made from Sugar (Ireland), &c.	The whe
,, c. 34. -	Registry at Malta of Ships taken as Prize.	The whe
,, c. 44. -	Exemption from Home Consumption Duties of Goods brought in as Prize or seized as Droits, and restored by Court of Admiralty.	The whe
,, c. 56. -	Completing the Militia (Ireland) -	The whe
,, c. 66. -	Holidays, &c. in Offices of Excise -	The whe
,, c. 68. -	Law of Bastardy (England) -	The whe so far a Moth

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
49 Geo. 3. c. 69. -	Indemnity to Persons having printed Books, &c. without full Description of Printer's Place of Abode.	The whole.
,, c. 71. -	Loan on Annuities - - -	Section 16.
,, c. 76. -	Exportation of Gunpowder, Arms, &c. (Ireland).	The whole.
,, c. 81. -	Laws of Excise relating to Paper, Silks, Salt, &c. (Great Britain).	The whole.
,, c. 95. -	Constitution of Board of Commissioners for auditing the Public Accounts.	The whole.
,, c. 96. -	Superannuation Allowance to Officers of Excise.	The whole.
,, c. 106. -	Warehoused Goods - -	The whole.
,, c. 109. -	Woollen Manufacture - -	Sect. 5. in part, namely, from "nor shall any such Persons" to "Parish or Place."
,, c. 112. -	Purchase of Lands for Defence of the Realm.	The whole.
,, c. 116. -	Management of Customs and Excise (Ireland).	The whole.
,, c. 117. -	Excise Duty on Coffee, Growth of British Dominions in Africa (Great Britain).	The whole.
,, c. 121. -	Bankrupts (England and Ireland) -	The whole.
,, c. 127. -	Salaries of Chief Baron and other Judges, Chief Justice of Chester, &c.	The whole.
50 Geo. 3. c. 10. -	Clandestine running of Uncustomed Goods, &c.	The whole.
,, c. 26. -	Duty on Exportation of Foreign plain Linen taken out of Warehouse.	The whole.
,, c. 34. -	Exportation of British and Irish made Malt from one Part of the Kingdom to the other.	The whole.
,, c. 38. -	Bonded Warehouses (Ireland) -	The whole.
,, c. 44. -	Excise Officers, Superannuation Allowance (Scotland).	The whole.
,, c. 47. -	Relief and Maintenance of Insolvent Debtors (Ireland).	The whole.
,, c. 51. -	Punishment of Women delivered of Bastards.	The whole.
,, c. 58. -	Redemption and Sale of Land Tax -	Section 4.
,, c. 60. -	Exportation from Bristol to Newfoundland of Foreign Salt, Duty free. Shipping Salt in certain Cases to North America.	The whole.
,, c. 71. -	Provision for Charges of the Loan, &c. of the present Session.	The whole.
,, c. 73. -	Regulation of Baking Trade beyond London, &c.	The whole.
,, c. 75. -	Additional Window Duty (Ireland)	The whole.
,, c. 76. -	Stamp Duties (Ireland) - -	The whole.

Statute Law Revision.

Act.	Subject.	Extent
50 Geo. 3. c. 77. -	Additional Customs Duties on certain Kinds of Wood.	The whol
51 Geo. 3. c. 20. -	Enlistment of a Proportion of the Militia into the Regular Forces.	The whol
,, c. 23. -	Abolition of Slave Trade - -	The whol
,, c. 30. -	Militia Enlistment into the Army (Ireland).	The whol
,, c. 32. -	Security of Exciseable Goods on board Vessels in the Port of Bristol.	The whol
,, c. 34. -	Premiums to Ships employed in Southern Whale Fishery.	The who Section
,, c. 47. -	Treaty of Commerce with Portugal	The who Section
,, c. 55. -	Abolition of Superannuation Fund in the Customs Department.	The whol
,, c. 56. -	Additional Duties on Tobacco manufactured in Ireland.	The whol
,, c. 57. -	Exportation of salted Beef and Pork from Ireland.	The whol
,, c. 59. -	Additional Duties on Wash or other Liquors used in the Distillation of Spirits and on Foreign Spirits.	The whol
,, c. 61. -	Provision for defraying increased Charge occasioned by Loan.	The whol
,, c. 67. -	Duties on Hides in the Hair -	The whol
,, c. 68. -	Additional Duty on Verdigris -	The whol
,, c. 72. -	Exemption from Duties of Assessed Taxes on Servants, Horses, Carriages, and Dogs kept in Great Britain and Ireland.	The whol
,, c. 74. -	Sale of Warehoused Prize Goods -	The whol
,, c. 82. -	Regulation respecting Rock Salt delivered to Refineries, &c.	The whol
,, c. 89. -	Increase of Salary of the Lord Lieutenant of Ireland.	The whol
,, c. 93. -	Duties on Norway Fir Timber -	The whol
,, c. 95. -	Auction Duty; Roasting Coffee; Watermark on Paper intended for Exportation.	Section 1
,, c. 110. -	Counterfeiting of Silver Tokens issued by the Bank of England.	The whol
52 Geo. 3. c. 30. -	Warehousing of Spirits distilled from Corn (Ireland).	The whol
,, c. 34. -	Relief of Debtors - - -	The whol
,, c. 36. -	Duties on Mahogany, &c. - -	The whol
,, c. 46. -	Duties upon Spirits, &c. (Ireland) -	The whol
,, c. 48. -	Duties on Spirits distilled from Corn in Stills of and under 100 Gallons Content (Ireland).	The whol
,, c. 53. -	Auction Duty on Sale of Colonial Coffee.	The whol
,, c. 60. -	Payment of Superannuation Allowances in Customs Department (Scotland).	The whol
,, c. 64. -	Obtaining Bonds and other Securities under false Pretences.	The whol

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
52 Geo. 3. c. 81.	Superannuation Allowance of Officers of Excise.	The whole.
,, c. 82.	Transfer to Consolidated Fund of Scotch Excise Charity and Superannuation Funds, &c.	The whole.
,, c. 87.	Stamp Duties; Duties on Cards and Dice (Ireland).	The whole.
,, c. 94.	Excise Duties on Glass, Hides, Tobacco and Snuff (Great Britain).	The whole.
,, c. 96.	Application of Amount of Bounties on Linen, &c., towards defraying Charge of any Loan made in the present Session.	The whole.
,, c. 107.	Allowance of Duty on Salt used for making Acid for Bleaching.	The whole.
,, c. 117.	Customs Duties on certain Woods, and on Pot and Pearl Ashes.	The whole.
,, c. 118.	Amendment of Act respecting Prohibition of Distillation of Spirits from Corn, &c.	The whole.
,, c. 119.	Importation from Turkey, &c., in Foreign Ships.	The whole.
,, c. 128.	Regulations for securing Excise Duties on Malt (Great Britain).	The whole.
,, c. 135.	Advance to the East India Company for Discharge of Part of the Indian Debt.	The whole.
,, c. 139.	Duties on Stone Bottles	The whole.
,, c. 142.	Removal of Goods from one Bonding Warehouse to another.	The whole.
,, c. 153.	British White Herring Fishery	The whole.
53 Geo. 3. c. 8.	Duties and Drawbacks on Importation and Exportation of Spanish or Red Wine.	The whole.
,, c. 9.	Duties on Malt	The whole.
,, c. 10.	Additional Duty on Rice	The whole.
,, c. 11.	Additional Drawback on Chocolate	The whole.
,, c. 19.	Prevention of Issue and Circulation of Gold or Silver Tokens, other than those of the Banks of England and Ireland.	The whole.
,, c. 20.	Militia (Great Britain) Enlistment of a Proportion of the Corps of Miners of Cornwall and Devon into the Regular Forces.	The whole.
,, c. 21.	Provision for poor Persons confined for Debt, &c., sued for by Order of Commissioners of Customs and Excise.	The whole.
,, c. 22.	Sale of Salt seized, Duty free, and Reward to seizing Officer.	The whole.
,, c. 30.	Bounty on Exportation of Manufactures of Waste Silk.	The whole.
,, c. 33.	Additional Duties of Customs	The whole.
,, c. 34.	Additional Excise Duties on Importation of Tobacco, Snuff, and French Wines, and Drawbacks.	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
53 Geo. 3. c. 38. -	Exportation of Corn and other Articles to Newfoundland, &c.	The whole.
,, c. 52. -	Distillation and warehousing of Spirits made from Sugar (Ireland).	The whole.
,, c. 56. -	Excise Duties on Malt (Ireland) -	The whole.
,, c. 57. -	Excise Duties on Tobacco (Ireland).	The whole.
,, c. 59. -	Duties on Carriages, Horses, Male Servants, and Windows (Ireland).	The whole.
,, c. 60. -	Collection of Duties on Hides dressed in Oil, Vellum, and Parchment (Ireland).	The whole.
,, c. 62. -	Duties on Sugar for Home Consumption from Martinique, &c.	The whole.
,, c. 84. -	Duties on Cape Wines - -	The whole.
,, c. 86. -	Naval Compensations and Pensions	The whole.
,, c. 87. -	Frauds by Boatmen and others, and Adjustment of Salvage.	The whole.
,, c. 97. -	Sale by Glassmakers of Muriate of Potash for Manufacture of Alum, and Excise Duty thereon.	The whole.
,, c. 100. -	Audit of Accounts of Paymaster-General of the Forces, &c.	The whole.
,, c. 103. -	Transfer of Excise Licences to Executors, &c. of licensed Traders.	The whole.
,, c. 104. -	Entry into Ireland for Home Consumption of Sugar from Martinique, &c., at reduced Duty.	The whole.
,, c. 106. -	Counterfeiting of Tokens of the Bank of Ireland.	The whole.
,, c. 112. -	Prosecutions under Acts relating to the Abolition of the Slave Trade.	The whole.
,, c. 114. -	Prevention of Issue and Circulation of Gold and Silver Tokens, except those of Banks of England and Ireland.	The whole.
,, c. 116. -	Price and Assize of Bread sold out of City of London, and beyond the Bills of Mortality, &c.	The whole.
,, c. 120. -	Reduction of the National Debt (Ireland).	The whole.
,, c. 124. -	Use of Salt, Duty free, for curing certain Fish.	The whole.
,, c. 128. -	Relief of Roman Catholics holding Civil or Military Offices in Ireland, from Penalties of Popish Recusancy in England, &c.	The whole.
,, c. 129. -	Sale of Offices of Six Clerks in Chancery (Ireland).	The whole.
,, c. 137. -	Licences for Sale of Spirituous Liquors, &c. (Ireland).	The whole.
,, c. 140. -	Cinque Ports Pilots - -	The whole.
,, c. 145. -	Distillation of Spirits (Ireland) -	The whole.
,, c. 147. -	Excise Duties on Spirits (Great Britain).	The whole.

Statute Law Revision.

Act	Subject.	Extent of Repeal.
53 Geo. 3. c. 148.	Illicit Distillation of Spirits (Ireland).	The whole.
,, c. 156.	Provision for Payment of the Charge of certain Annuities.	The whole.
54 Geo. 3. c. 1.	British and Irish Militias, Service out of the United Kingdom.	The whole.
,, c. 11.	Provision for Serjeants of Militia (Great Britain and Ireland).	The whole.
,, c. 12.	Augmentation of 60th Regiment by Enlistment of Foreigners.	The whole.
,, c. 17.	City of London Militia, Service out of the United Kingdom.	The whole.
,, c. 20.	Amendment of Act as to Service of the British and Irish Militias out of the United Kingdom.	The whole.
,, c. 21.	Duty on Scotch Salt brought to England.	The whole.
,, c. 32.	Illicit Distillation of Spirits (Ireland).	The whole.
,, c. 36.	Customs Duties on Goods imported from East Indies into Great Britain, East India Company's Accounts, &c.	The whole.
,, c. 42.	Punishment for the Destruction of Stocking or Lace Frames, &c.	The whole.
,, c. 50.	Customs Duties on Salt - -	The whole.
,, c. 59.	Slave Trade Suppression, Registration of Condemned Ships.	The whole.
,, c. 64.	War Duties of Customs Continuance.	The whole.
,, c. 65.	Customs Duties on Importation of French Goods, &c.	The whole.
,, c. 66.	Repeal of Customs Duties on Teak or other Wood for Ship-building, imported from East Indies.	The whole.
,, c. 69.	Repeal of all Customs Duties, Bounties, and Restrictions on the Exportation of Corn from the United Kingdom.	The whole.
,, c. 77.	Customs Regulations for securing Duties on Cape Wines.	The whole.
,, c. 88.	Collection of Excise Duties on Spirits (Ireland).	The whole.
,, c. 97.	Excise Duties on Glass (Great Britain).	The whole.
,, c. 120.	Management of Customs and Excise (Ireland).	The whole.
,, c. 121.	Excise Duties on Foreign Wine, Spirits, and other Liquors.	The whole.
,, c. 124.	Importation of Tobacco and Snuff into Plymouth.	The whole.
,, c. 127.	Exportation from Scotland and Ireland of Linen Cloth without Stamps.	So far as relates to Scotland.
,, c. 142.	Exportation of Tea to British America, &c., Duty free.	The whole.

Statute Law Revision.

Act.	Subject.	Extent
54 Geo. 3. c. 174. -	Farming of the Post Horse Duties, and Measurement of Roads (Great Britain).	The whole
55 Geo. 3. c. 14. -	Customs Duties on Wood (Ireland).	The whole
,, c. 22. -	Customs Duties on Tobacco -	The whole
,, c. 23. -	Customs Duties on Citrat of Lime -	The whole
,, c. 29. -	Trade of Malta - - -	The whole
,, c. 35. -	Additional Excise Duty on Tobacco (Ireland).	The whole
,, c. 36. -	Customs Duty on Tobacco (Ireland).	The whole
,, c. 37. -	Exportation or Importation of Sugar, Coffee, &c. (Ireland).	The whole
,, c. 55. -	Land Revenues of the Crown -	The whole
,, c. 57. -	Repeal of South Sea Company's exclusive Privileges of Trade, and Indemnity to the Company for the Loss.	The whole
,, c. 62. -	Excise Duties on Malt (Ireland) -	The whole
,, c. 66. -	Excise Duties on Salt, Drawback on Foreign Brimstone, &c.	The whole
,, c. 95. -	Customs Duties on Vegetable Substances used in Tanning.	The whole
,, c. 99. -	Excise Duties on Malt (Ireland) -	The whole
,, c. 105. -	Excise Duties on Hides and Skins tanned in Ireland.	The whole
,, c. 110. -	Excise Duties on Sweets or Made Wines (Ireland).	The whole
,, c. 114. -	Salaries, &c., of Master of the Rolls; Offices of Six Clerks in Chancery (Ireland).	Sections 3,
,, c. 129. -	Drawbacks and countervailing Duties on Tobacco; Exportation of Wine.	The whole.
,, c. 135. -	Customs Regulations as to Newfoundland Blubber and Train Oil.	The whole.
,, c. 141. -	Amendment of the Act for Repeal of South Sea Company's exclusive Privileges of Trade.	The whole.
,, c. 163. -	Customs Regulations; Licences to open Boats.	The whole.
,, c. 168. -	Amendment of Laws relating to Militias of Great Britain and Ireland.	So far as r Militia o
,, c. 169. -	Provision for Charge of Addition to Funded Debt.	The whole.
,, c. 172. -	Support of captured Slaves during the Period of Adjudication.	The whole.
,, c. 177. -	Prevention of Frauds in Manufacture of Sweets.	The whole.
,, c. 179. -	Use of Salt, Duty free, for curing Fish, &c.	The whole
,, c. 181. -	Customs Duty on certain Seeds imported.	The whole.

Statute Law Revision.

Act	Subject.	Extent of Repeal.
56 Geo. 3. c. 25.	Duty on Importation of Butter	The whole.
,, c. 26.	Duty on Importation of Cheese	The whole.
,, c. 29.	Perpetuation of certain War Duties of Customs, &c.	The whole.
,, c. 34.	Additional Duty on Corks	The whole.
,, c. 44.	Excise Duties, &c., on Soap	The whole.
,, c. 59.	Excise Duty on Malt (Ireland)	The whole.
,, c. 64.	Amendment of Acts relating to the Militia of Great Britain.	So far as relates to the Militia of Scotland.
,, c. 70.	Redemption of National Debt (Ireland).	The whole.
,, c. 73.	Removal of Difficulties in Conviction of Offenders stealing Property from Mines.	The whole.
,, c. 75.	Customs Duties on Rape Seed, &c.	The whole.
,, c. 77.	Repeal of certain Duties granted by the Act for repealing the exclusive Privileges of the South Sea Company.	The whole.
,, c. 79.	Customs Duties on Rape Seed Cakes, Bones, &c.	The whole.
,, c. 85.	Management of Customs and Excise (Ireland).	The whole.
,, c. 86.	Aliens	The whole.
,, c. 94.	Use of crushed Rock Salt, Duty free, in Manufacture of Muriatic Acid, &c.	The whole.
,, c. 113.	Beer, &c., Licences (Great Britain).	The whole.
,, c. 118.	Duty on Oil and Blubber from the North American Colonies.	The whole.
,, c. 119.	Mutiny Act Amendment	The whole.
,, c. 127.	Duty on Exportation of small Coals from Great Britain.	The whole.
,, c. 133.	Provision for the annual Charge of the Loans of this Session.	The whole.
,, c. 135.	Crinan Canal (Scotland)	The whole.
,, c. 137.	Bankrupts	The whole.
57 Geo. 3. c. 18.	Business of the Court of Exchequer (England), Equity Side.	The whole.
,, c. 30.	Interest on and Periods of Payments of Navy, Victualling, and Transport Bills.	The whole.
,, c. 32.	Excise Duties on Stone Bottles	The whole.
,, c. 49.	Laws of Excise respecting Salt and Rock Salt.	The whole.
,, c. 51.	Celebration of Marriages, Newfoundland.	The whole.
,, c. 61.	Abolition of Offices of Wardens, Chief Justices, and Justices in Eyre of the Royal Forests, &c. North and South of the Trent.	The whole.
,, c. 63.	Regulation of Offices of Clerks of the Signet and Privy Seal.	The whole.
,, c. 76.	Drawback on Paper allowed to the Universities in Scotland.	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
57 Geo. 3. c. 79. -	Transfer from Funds in Great Britain to Funds in Ireland.	The whole.
,, c. 86. -	Importation of Foreign Cambrics and Lawns into Ireland.	The whole.
,, c. 88. -	Fullers Earth, &c. carried Coastwise	The whole.
,, c. 96. -	Duties on Coal, &c. removed Coastwise (Wales).	The whole.
,, c. 119. -	Exemption of Stone Blacking Bottles from Duty.	The whole.
,, c. 123. -	Excise Duty on Spirits made from Corn in England, &c.	The whole.
,, c. 128. -	Window Duties (Scotland) -	The whole.
58 Geo. 3. c. 8. -	Kilmainham Hospital, Suspension of Pensions for Misconduct.	The whole.
,, c. 13. -	Duties on Licences for retailing Aqua Vitæ in Scotland.	The whole.
,, c. 18. -	Customs Duties on Corks ready made imported into Ireland.	The whole.
,, c. 21. -	Excise Duties on Glass - -	The whole.
,, c. 33. -	Allowance for broken Plate Glass, &c.	The whole.
,, c. 36. -	Execution of Treaty with Spain, for preventing Traffic in Slaves.	The whole.
,, c. 41. -	Collection of Duties on Paper (Ireland), and Drawback on Paper used at Press of Trinity College, Dublin.	The whole.
,, c. 49. -	Abolition of Slave Trade - -	The whole.
,, c. 56. -	Bounty on Exportation of Silk Manufactures.	The whole.
,, c. 65. -	Excise Duties on Vinegar or Acetous Acid.	The whole.
,, c. 75. -	Preservation of Game - -	The whole.
,, c. 77. -	Excise Duties on Rock Salt -	The whole.
,, c. 79. -	Auction Duties (Ireland) - -	The whole.
,, c. 80. -	Transfer from Stocks in Great Britain to Stocks in Ireland.	The whole.
,, c. 85. -	Execution of Convention with Portugal for preventing Traffic in Slaves.	The whole.
,, c. 89. -	Attendance of Magistrates on board outward bound Passenger Vessels.	The whole.
,, c. 93. -	Relief to bonâ fide Holders for Value of negotiable Securities without Notice of usurious Consideration.	The whole.
,, c. 94. -	Sea Fisheries (Ireland) - -	The whole.
,, c. 98. -	Abolition of the Slave Trade -	The whole.
59 Geo. 3. c. 17. -	Execution of Convention with Portugal for preventing Traffic in Slaves.	The whole.
,, c. 28. -	Division of Courts of Quarter Sessions.	The whole.
,, c. 29. -	Customs Duties on Mineral Alkali	The whole.
,, c. 36. -	Making and Sale of Bread out of City of London and beyond Bills of Mortality, &c.	The whole.

Statute Law Revision.

Act	Subject	Extent of Repeal.
59 Geo. 3. c. 57. -	Excise Duties, Salt (Great Britain)	The whole.
,, c. 64. -	Proceedings against Warden of the Fleet in Vacation.	The whole.
,, c. 71. -	Loan from Commissioners for Reduction of National Debt.	The whole.
,, c. 91. -	Applications to Courts of Equity regarding Charity Estates (England).	The whole.
,, c. 97. -	Trial of Offences committed in Africa against the Laws for Abolition of the Slave Trade.	The whole.
,, c. 103. -	Provisions respecting Accounts to be laid before Parliament.	The whole.
,, c. 105. -	Excise Duties on Spirits, certain Licences, Leather and Glass of Carriages, &c. (Great Britain and Ireland).	The whole,
,, c. 113. -	Premiums to Ships employed in Southern Whale Fishery.	The whole.
,, c. 120. -	Registry of Colonial Slaves in Great Britain, and Removal of Slaves from Colonies.	The whole.
,, c. 124. -	Passenger Vessels to Colonies, &c.	The whole.
1 Geo. 4. c. 9. -	Grant of Privileges of British Ships to Vessels built at Malta, &c.	The whole.
,, c. 22. -	Loan from Commissioners for Reduction of National Debt.	The whole.
,, c. 26. -	Coasting Trade (Ireland) - -	The whole.
,, c. 35. -	Court of Exchequer (England) Suitors' Money, Appointment of Accountant-General, &c.	The whole.
,, c. 37. -	Appointment of Special Constables by Magistrates.	The whole.
,, c. 40. -	Compensation for Tithes withheld (Ireland).	The whole.
,, c. 72. -	Lotteries - - - -	The whole.
,, c. 75. -	Excise Duty on Tobacco - -	The whole.
,, c. 78. -	Duties on Spirit Licences, &c. (Ireland).	The whole.
,, c. 87. -	Recovery of Possession by Landlords.	The whole.
,, c. 99. -	Maintenance of a Volunteer Infantry Corps by the East India Company.	The whole.
,, c. 102. -	Indictments in respect of Property belonging to Partners.	The whole.
,, c. 115. -	Abolition of Capital Punishment for certain Offences, and Substitution of other Punishment.	The whole.
,, c. 118. -	Excise Duty on Malt (Scotland) -	The whole.
1 & 2 Geo. 4. c. 14. -	Free Importation of Cochineal and Indigo.	The whole.
,, c. 22. -	Ale and Beer Duties (Great Britain)	So much as relates to Certificates and creases in Stock

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
1 & 2 Geo. 4. c. 29.	Allowances in certain Cases in respect of Duty on Irish Starch imported into Great Britain.	The whole.
„ c. 47. -	Disfranchisement of Borough of Grampound, and additional Knights of the Shire for Yorkshire.	Sections 2 and 3.
„ c. 50. -	Making and Sale of Bread out of City of London and beyond Bills of Mortality, &c.	The whole.
„ c. 60. -	Exemption of Ships in Ballast in the South Sea Trade from certain Tonnage Duties.	The whole.
„ c. 70. -	Loan from Commissioners for Reduction of National Debt.	The whole.
„ c. 75. -	Frauds by Boatmen and others, and Adjustment of Salvage in England.	The whole.
„ c. 91. -	Silk and Mohair, &c. Bounties -	The whole.
„ c. 96. -	British Spirits Duty (Lisburne, Ireland).	The whole.
„ c. 99. -	Slave Trade - - -	The whole.
„ c. 102. -	Drawback on Acetous Acid exported, and Exemption of Drainage Tiles from Duty.	The whole.
„ c. 105. -	Amendment of Laws of Excise as to warehoused Goods.	The whole.
„ c. 110. -	Horse Duties - - -	The whole.
„ c. 120. -	Lotteries - - - -	The whole.
3 Geo. 4. c. 25. -	Starch and Soap Duties Allowances	The whole.
„ c. 32. -	Duties on plain Silk Net or Tulle -	The whole.
„ c. 38. -	Punishment for Manslaughter and for Robbery by Servants, and of Accessories before the Fact to certain Felonies.	The whole.
„ c. 47. -	Rate of Interest on Securities made in Great Britain on Land, &c. in Ireland or the Colonies.	The whole.
„ c. 73. -	Loan from Commissioners for Reduction of National Debt.	The whole.
„ c. 74. -	Bankrupts under joint Commissions	The whole.
„ c. 101. -	Lotteries - - - -	The whole.
„ c. 109. -	Duties and Drawbacks on Barilla -	The whole.
„ c. 125. -	Leases of Tithes by Ecclesiastical Persons (Ireland).	The whole.
Geo. 4. c. 23. -	Consolidation of Boards of Customs, and of Boards of Excise of Great Britain and Ireland.	The whole.
„ c. 45. -	Assessed Taxes Composition -	The whole.
„ c. 70. -	Court of Exchequer, Equity Side (Ireland).	The whole.
„ c. 77. -	Duties on Goods in Foreign Vessels, &c.	The whole, except Sections 5 and 6.
„ c. 78. -	Stamp Duty on Proceedings in Equity (Ireland).	So far as relates to the Equity Side of the Court of Exchequer.

Statute Law Revision.

Act	Subject.	Extent of Repeal.
4 Geo. 4. c. 89. -	Limitation of Expenses of certain Law Proceedings (Ireland).	Section 3.
5 Geo. 4. c. 4. -	Law Proceedings (Ireland) - -	The whole.
,, c. 8. -	Church Lands (Ireland) - -	The whole.
,, c. 16. -	Court of Exchequer, Equity Side (Ireland).	The whole.
,, c. 17. -	Slave Trade Suppression - -	The whole.
,, c. 26. -	Barrack Property - - -	The whole.
,, c. 50. -	Price of Bread - - - -	The whole.
,, c. 54. -	Beer and Spirit Licences - -	Duties granted by.
,, c. 70. -	Substitution of Flour for Foreign Wheat in Warehouses.	The whole.
,, c. 75. -	Excise and Customs Duties -	The whole.
,, c. 85. -	Gaols and Houses of Correction (England).	So much as requires the making of any Return in the Form of the Schedule (A.) to this Act.
,, c. 106. -	Courts of Great Sessions in Wales	The whole.
,, c. 113. -	Slave Trade Abolition - -	From Section 13 to Section 20, both inclusive. Sections 37 and 42. From Section 52 to Section 59, both inclusive, as to Portugal or Spain. Section 67. Section 72.
6 Geo. 4. c. 19. -	Threatening Letters as to accusing of infamous Crimes.	The whole.
,, c. 56. -	Indictments for Forgery on Partnerships.	The whole.
,, c. 60. -	Exchequer, Equity Side (Ireland) -	The whole.
,, c. 85. -	Salaries and Pensions of Judges in India, and Bishop of Calcutta; Transportation from St. Helena; Administration of Justice at Singapore, &c.	Section 17.
,, c. 96. -	Writs of Error - - -	The whole.
7 Geo. 4. c. 17. -	Administration of Justice, Durham	The whole.
,, c. 20. -	Stamp Duties in Courts of Law (Ireland).	The whole.
,, c. 48. -	Customs Laws Amendment - . . .	The whole, except so much of Section 52 as relates to Excise.
,, c. 55. -	Poll at Elections of Knights of the Shire for the County of York.	The whole.
7 & 8 Geo. 4. c. 34. -	Ministers Money (Ireland) - -	The whole.
,, c. 46. -	General Register House, Edinburgh.	The whole.
,, c. 66. -	Grants of Crown Lands for Public Buildings and Cemeteries.	The whole.
9 Geo. 4. c. 9. -	Sessions of the Peace, Westminster	The whole.
,, c. 59. -	Mode of taking the Poll at Parliamentary Elections for Boroughs (England).	The whole.

Statute Law Revision.

Act.	Subject.	Extent of Repeal.
9 Geo. 4. c. 72. -	Bombay Marine - - -	The whole.
,, c. 76. -	Customs - - - -	The whole.
,, c. 84. -	Slave Trade Abolition - -	The whole.
,, c. 93. -	Delivery of Sugar out of Bond to be refined.	The whole.
10 Geo. 4. c. 16. -	Appointment of Writers in the East India Company's Service.	The whole.
11 Geo. 4. & 1 Will. 4. c. 10.	Maintenance of Families of Smugglers sentenced to serve in the Navy.	The whole.
,, c. 69.	Judicial Establishments (Scotland)	Section 42.
1 Will. 4. c. 3. -	Administration of Justice, Law Terms, &c.	Sections 5 and 6.
2 & 3 Will. 4. c. 13.	Presentments, Baronies of St. Sepulchres and Donore (Ireland).	The whole.
,, c. 31.	Regulation of Baking Trade (Ireland).	The whole.
,, c. 41.	Recovery of Tithes (Ireland) -	The whole.
,, c. 49.	Office of Clerks of the Signet and Privy Seal.	The whole.
3 & 4 Will. 4. c. 10.	Cotton Wool Customs Duty -	The whole.
,, c. 16.	Excise Duties on Soap - -	The whole.
,, c. 17.	Manufacture of Stone Blue -	The whole.
,, c. 41.	Judicial Committee of Privy Council.	Sections 22, 25, 26, and 27.
,, c. 98.	Bank of England Privileges -	Section 7.
4 & 5 Will. 4. c. 32.	Reduction of Tonnage Rates in the Port of London.	Section 4.
,, c. 89.	Customs - - - -	The whole.
5 & 6 Will. 4. c. 32.	Tea Duties - - -	The whole.
,, c. 37.	Militia Staff Reduction and Ballots Suspension.	The whole.
,, c. 40.	Duties on Wood, the Produce of Places in Europe.	The whole.
6 & 7 Will. 4. c. 25.	Postage, Milford and Waterford -	The whole.
,, c. 26.	Sugar Duties - - -	The whole.
,, c. 61.	Shipowners' Liability for Losses by Fire.	The whole.
,, c. 101.	Parliamentary Elections; List of Voters; Returning Officers (England).	Section 3.
,, c. 112.	Court of Exchequer, Equity Side -	The whole.
7 Will. 4. & 1 Vict. c. 51.	Loans for Public Works and Fisheries.	Section 17.
,, c. 70.	Haileybury College, &c. - -	Sections 1, 2, 3, 7, and so much of Section 5 as relates to Admission to Haileybury College.
,, c. 85.	Amendment of Laws relating to Offences against the Person.	Section 11.
1 & 2 Vict. c. 10. -	Banking and other Copartnerships, in which Spiritual Persons are interested, Validity of Contracts.	The whole.
,, c. 22. -	Haileybury College - -	The whole.
,, c. 54. -	Investment of Suitors' Money, Courts of Chancery and Exchequer.	Sections 3 and 4.

Act.	Subject.	Extent of Repeal.
1 & 2 Vict. c. 120. -	Duchy of Cornwall Tin Duties -	Section 8.
2 & 3 Vict. c. 14. -	Certain Appointments in Cathedral Churches (England).	The whole.
3 & 4 Vict. c. 17. -	Customs, Excise, and Assessed Taxes.	So much as relates to Customs Duties and Drawbacks.
,, c. 34. -	Masters in Chancery - -	The whole.
,, c. 49. -	Excise Duties on Soap - -	The whole.
4 & 5 Vict. c. 13. -	South Australia, Loan to Colonization Commissioners.	The whole.
5 & 6 Vict. c. 89. -	Drainage of Lands (Ireland) -	Section 27.
,, c. 110. -	Coventry Boundary - -	Section 9.
6 & 7 Vict. c. 12. -	Coroners' Inquests - - -	Section 4.
,, c. 29. -	Duties on Wheat, &c. imported from Canada.	The whole.
7 & 8 Vict. c. 28. -	Sugar Duties - - -	The whole.
,, c. 33. -	County Rates and High Constables	So far as relates to County Rates.
8 & 9 Vict. c. 5. -	Sugar Duties - - -	The whole.
,, c. 13. -	Excise Duties on Sugar - -	The whole.
,, c. 48. -	Oaths Dispensation, Bankruptcy -	The whole.
9 & 10 Vict. c. 22. -	Corn Importation - - -	The whole.
,, c. 58. -	Duties of Customs on Books and Engravings.	The whole.
,, c. 63. -	Sugar Duties - - -	The whole.
,, c. 94. -	Reduction of Duties of Customs by Legislatures of certain British Possessions.	The whole.
10 & 11 Vict. c. 45.	Prisoners' Removal in certain Cases (Ireland).	The whole.
,, c. 85.	Post Office - - - -	Section 11.
12 & 13 Vict. c. 19.	Removal of Prisoners from Gaols in Cases of Epidemic Diseases.	The whole.
,, c. 70.	Summary Convictions (Ireland) -	The whole.
,, c. 93.	Metropolitan Sewers - -	The whole.
13 & 14 Vict. c. 14.	Advances to Distressed Unions (Ireland).	The whole.
,, c. 67.	Excise on Sugar, and Brewers' and Distillers' Licences.	Section 3.
14 & 15 Vict. c. 89.	Metropolitan Interment Act, 1850, Amendment.	The whole.
15 & 16 Vict. c. 16.	Repayment of Advances (Ireland) Act Amendment.	The whole.
16 & 17 Vict. c. 54.	Customs Duties - - -	The whole.
,, c. 125.	Metropolitan Sewers Acts Continuance and Amendment.	The whole.

C A P. CII.

An Act to amend the Tramways (*Ireland*) Act (1860).

[6th *August* 1861.]

'WHEREAS an Act was passed in the last Session of Par-
'liament, intituled *An Act to facilitate internal Commu-* 23 & 24 Vict.
'*nication by means of Tramroads or Tramways:* And whereas c. 152.
'some

'some of the Provisions of the said Act have been found to 'cause unnecessary Expense and Delay, and it is expedient to 'amend the same:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

This and recited Act to be read together.

1. The said recited Act shall be continued and be in full Force except when the same shall be altered or amended by or be inconsistent with the Provisions of this Act, and the recited Act and this Act shall be read together as One Act.

One Approval by Grand Jury to be sufficient.

2. It shall not be necessary for the Grand Jury in future to pronounce a provisional Approval of the Undertaking, but the Grand Jury in proceeding under the Fifth Section of the said recited Act shall definitively approve or disapprove of the said Undertaking at the first Assizes at which the same shall be brought before them, and it shall not be necessary to obtain any further or other Approval from the Grand Jury at any subsequent Assizes.

Applications at Spring or Summer Assizes.

3. The Application of the Grand Jury for their Approval may be made either at the Spring or Summer Assizes.

Notices to be given for Spring Assizes.

4. In case the Application is made at the Spring Assizes, the Advertisements required by the First Section of the said Act shall be published in the Months of *November* or *December* or either of them immediately preceding, and the Deposits required by the Second and Fourth Sections of the said Act shall be made on or before the First and Twelfth Day of *December* respectively, and the Notices required by the Third Section shall be given on or before the Second Day of *December*.

Approval of Grand Jury may be traversed.

5. Any Person entitled to appear on the Inquiry before the Grand Jury may, in the Case of their Approval of the Undertaking, traverse such Approval, subject to and under the following Regulations:—

Such Traverse shall be entered with the Clerk of the Crown not later than Twelve o'Clock on the Day following the Approval of the Grand Jury;

It shall be on either of the following Grounds:—

First. That the Preliminaries required by Law for the Application to the Grand Jury have not been complied with;

Second. That the Construction of the Undertaking according to the Plan approved of by the Grand Jury would not be beneficial to the Public;

In case of a Traverse on the First Ground, same shall be disposed of by the Judges of Assize, or One of them, after hearing such Evidence as may be adduced;

In case of a Traverse on the Second Ground, same shall be tried in all respects as Issues joined in the Superior Courts of Common Law are or may be triable by Law at such Assizes;

The Judges of Assize, or One of them, may, if it shall appear fit, direct such Traverse to be tried by a Special Jury;

In

In case more Persons than One shall enter a Traverse on the Second Ground, there shall be One Trial of all such Traverses, and the Judge shall make such Order as may seem fit for the conducting of such Trial, and the Appearance and Intervention of the several Traversers thereat;

Every Traverse under this Act shall be determined or tried at the same Assizes at which it is entered, and in case the Judge shall rule or the Jury find in favour of such Traverse, as the Case may be, the Approval of the Grand Jury shall be void and of no Effect;

Every Traverse on the First Ground shall be confined to the specific Points mentioned by the Traverser in his Memorial lodged with the Secretary of the Grand Jury, and the particular Points of Non-compliance complained of shall be also stated in such Traverse.

Inquiry by Board of Works in the first instance.

6. The Inquiry by the Board of Works directed by the Ninth Section of the said Act shall take place before any Application is made to the Grand Jury, in order that their Report shall be submitted to the Grand Jury at the first Application, and the Board of Works shall institute such Inquiry upon the Request of the Promoters, and upon having deposited with them a reasonable Sum, not in any Case exceeding One hundred Pounds, to cover the Expenses of such Inquiry.

To be confined to Engineering Questions.

7. The Inquiry to be made by the Board of Works, and the Report to be made thereon, shall extend only to the Merits of the Undertaking in an Engineering Point of View, and to any Modification of the same in that Respect which may be advantageously made.

Existing Company may be empowered to execute Work.

8. Instead of constituting a new Company under the Fifteenth Section of the said Act, the Lord Lieutenant in Council may, if he shall so think fit, and if so desired by the Promoters, empower any existing Company incorporated by Act of Parliament or Charter, or constituted by any Statute regulating Joint Stock Companies, to execute such Undertaking, if it shall appear that such Company have Power to provide the necessary Capital and to apply the same to the Purposes of such Undertaking, but no such Order shall be deemed or taken to authorize or sanction the Employment by the said Company for the Purposes of such Undertaking or of the Application for the same of any Funds which independently of such Order they would not have Power so to apply.

Orders in Council valid without Confirmation by Parliament.

9. In any Case in which the Undertaking shall be approved of by the Grand Jury, and no Petition of Appeal shall be presented against such Approval to the Lord Lieutenant in Council by any of the Parties entitled under such Act to appeal, the Order in Council shall immediately take Effect without any Act of Parliament confirming the same, but in any Case in which such Petition of Appeal is presented before the Order in Council is made, such Order shall have no Effect until confirmed by Act of Parliament, even although no Person shall appear to sustain such Appeal, and when any Order shall be made after the Presentation of such Appeal the Fact of such Appeal having been presented shall be stated in such Order.

10. In

Grand Jury may give Permission for Tramway to cross a Highway.

10. In any Case in which Persons constructing any Tramway shall only seek under the Provisions of the said Act Power to cross a Highway, it shall be lawful for the Grand Jury, with the previous Approbation of the Presentment Sessions held for the Barony in which such proposed Crossing is situate, to give Permission for such Crossing to be made, and thereupon and immediately upon such Permission being given, and without any other Approval, it shall be lawful for the Persons constructing such Tramway to lay down the same across any public Road or Roads for which Permission shall have been so given; and it shall be lawful for the Grand Jury to annex to such Permission any Conditions or Stipulations which to them shall seem fit; and in case such Permission shall be used by the Promoters, they shall be bound by such Conditions and Stipulations as if the same had been inserted in a Special Act of Parliament authorizing such Crossing, and all Persons interested in same may have the same Rights and Remedies; and it shall be further lawful for the Grand Jury, if they shall so think fit, before such Permission is acted on, to require Persons of sufficient Substance, to be approved of as they may direct, to enter into a Bond to the Secretary of the Grand Jury, County Treasurer, or such other Person as they may appoint, in such Sum as they may name, conditioned for the Observance of all such Conditions and Stipulations.

Short Title.

11. This Act may be cited as "The Tramways (*Ireland*) Amendment Act, 1861."

CAP. CIII.

An Act to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year One thousand eight hundred and sixty-one, and to appropriate the Supplies granted in this Session of Parliament. [6th *August* 1861.]

§ 1. There shall be applied for the Service of the Year 1861 the Sum of £32,605,936 11*s.* 5*d.* out of the Consolidated Fund.

2. The Treasury may cause £32,605,936 11*s.* 5*d.* of Exchequer Bills to be made out in manner prescribed by 48 G. 3. c. 1., 4 & 5 W. 4. c. 15., and 5 & 6 Vict. c. 66.

3. The Clauses, &c. in recited Acts extended to this Act.

4. Interest on Exchequer Bills.

5. Bank of England may advance £32,605,936 11*s.* 5*d.* on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

6. Bills prepared by virtue of this Act to be delivered to the Bank, as Security for such Advances.

7. Monies raised by Exchequer Bills to be applied to the Services voted by the Commons.

8. Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

9. Treasury may apply, for the Service of the Year 1861, £424,207 7*s.* Surplus of Ways and Means.

10. Appropriation of Ways and Means to Services hereafter expressed. 24 Vict. c. 2.; 24 Vict. c. 6.; 24 Vict. c. 19.

§ 11. There shall be issued,

£12,276,250	0	0	For Navy Services; viz.	For the Year ending 31st March 1862.
3,122,580	0	0	For Wages to 78,200 Seamen and Marines, &c.	
1,328,259	0	0	For Victuals, &c. in the Navy	
161,157	0	0	For Salaries, &c. in Admiralty Office	
253,422	0	0	For Salaries, &c. of Coast Guard, Naval Coast Volunteers, and Naval Reserve	
63,851	0	0	For the Navy Scientific Departments	
172,947	0	0	For Naval Establishments at home	
33,640	0	0	For Naval Establishments abroad	
1,112,126	0	0	For Wages of Artificers, &c. at home	
67,828	0	0	For Wages to Artificers, &c. abroad	
66,000	0	0	For Medicines, &c.	
90,510	0	0	For Naval Miscellaneous Services	
684,016	0	0	For Naval Half Pay, &c.	
486,430	0	0	For Military Pensions	
180,397	0	0	For Civil Pensions	
247,000	0	0	For Freight of Ships, Victualling, and Conveyance of Troops, &c.	
3,489,477	0	0	For Naval Stores, &c.	
466,610	0	0	For New Works in Naval Establishments	
250,000	0	0	For building Iron Ships by Contract, &c.	
12. 206,629	10	9	For Army Services, 1859–60.	
13. 6,071,029	0	0	For Army Services, viz.:	For the Year ending 31st March 1862.
860,447	0	0	For Wages of Artificers, &c.	
525,416	0	0	For Clothing and Necessaries	
1,456,834	0	0	For Provisions, Barrack Furniture, &c.	
2,200,581	0	0	For Stores for Land and Sea Service	
158,185	0	0	For Fortifications	
179,407	0	0	For Civil Buildings	
690,159	0	0	For Barracks	

Consolidated Fund (Appropriation).

	£ 9,202,722	0	0	For other Army Services, viz.:	For the Year ending 31st March 1862.
	4,780,000	0	0	For Pay, &c. of Land Forces, exclusive of India	
	648,096	0	0	For Miscellaneous Charges of ditto	
	201,833	0	0	For Departments of Secretary for War and Commander-in-Chief	
	398,695	0	0	For Manufacturing Departments, &c.	
	133,276	0	0	For Volunteer Corps	
	261,014	0	0	For Educational and Scientific Branches	
	24,300	0	0	For Rewards of Military Services	
	78,600	0	0	For General Officers	
	490,669	0	0	For Reduced and Retired Officers	
	181,363	0	0	For Pensions to Widows of Officers, and Compassionate List	
	42,953	0	0	For Pensions, &c. to wounded Officers	
	32,409	0	0	For In-Pensioners, &c. of Chelsea and Kilmainham Hospitals	
	1,124,363	0	0	For Out-Pensioners of Chelsea Hospital	
	138,151	0	0	For Superannuation and Retired Allowances	
	637,000	0	0	For Disembodied Militia	
	30,000	0	0	For further Charges on account of Volunteer Corps	
§ 14.	53,430	15	10	For War with Russia, (Excess of Expenditure), 1854–5, 1855–6, 1856–7.	
15.	1,000,000	0	0	For Naval and Military Operations in China.	
16.	7,225,500	0	0	For Exchequer Bills, 1861.	
17.	30,000	0	0	For Marriage Portion of H.R.H. Princess Alice Maud Mary.	
18.	17,983	11	10	For Revenue Departments' non-effective Charges (Excess of Expenditure)	For the Year ended 31st March 1861.
19.	750,000	0	0	For Customs Department	For the Year ending 31st March 1862.
	1,440,000	0	0	For Inland Revenue Department	
	2,050,000	0	0	For Post Office, &c.	
	919,956	0	0	For Packet Service	

Consolidated Fund (Appropriation).

	£538,574	0	0	For Superannuations, &c., Customs, Inland Revenue, and Post Office -	For the Year ending 31st March 1862.
§ 20.	75,000	0	0	For Civil Contingencies -	

CIVIL SERVICES.—*Class* 1.

21.	38,214	0	0	For Repair of Royal Palaces - -	To 31st March 1862.
	85,470	0	0	For Maintenance, &c. of Public Buildings, temporary Accommodation, &c. - - -	
	22,400	0	0	For Furniture for Public Departments - -	
	98,298	0	0	For Maintenance, &c. of Royal Parks, Pleasure Grounds, &c. - -	
	54,692	0	0	For New Houses of Parliament - -	
	3,035	0	0	For Embassy Houses, &c., abroad - - -	
	2,982	0	0	For new Consular Offices and Prison at Constantinople - - -	
	53,000	0	0	For Western Approaches to Westminster Bridge -	For the Year ending 31st March 1862.
	64,606	0	0	For Westminster Bridge -	To 31st March 1862.
	8,200	0	0	For New Buildings, General Register House, Edinburgh - -	For the Year ending 31st March 1862.
	11,200	0	0	For Industrial Museum, Edinburgh - -	
	6,870	0	0	For King's and Marischal Colleges, Aberdeen University - - -	
	800	0	0	For Stained Glass Window in Glasgow Cathedral -	
	413	0	0	For Plan and Estimate, Main Drainage of London - - -	To 31st March 1862.
	3,000	0	0	For National Gallery, &c., Dublin - -	For the Year ending 31st March 1862.
	160,000	0	0	For Harbours of Refuge -	To 31st March 1862.
	46,702	0	0	For New Packet Harbour and Harbour of Refuge at Holyhead, &c. -	
	64,556	0	0	For erecting, &c. Public Buildings, Ireland -	
	2,628	0	0	For Works, &c. of Kingstown Harbour - -	

Consolidated Fund (Appropriation).

	£ 5,000	0	0	For erecting, &c. Sheriff Courts, Scotland -	For the Year ending 31st March 1862.
	32,600	0	0	For erecting, &c. Light-houses abroad - -	To 31st March 1862.
	5,000	0	0	For Highland Roads and Bridges - -	
	35,000	0	0	For Contributions in aid of Poor Relief Assessments	
	30,000	0	0	Towards erecting a new Foreign Office - -	For the Year ending 31st March 1862.

CIVIL SERVICES.—*Class 2.*

§ 22.	50,599	0	0	For Salaries, &c. of Houses of Parliament - -	To 31st March 1862.
	53,173	0	0	For the Treasury -	
	25,753	0	0	For the Home Department	
	62,715	0	0	For Foreign Department -	
	30,449	0	0	For the Department of Colonies - -	
	20,508	0	0	For Privy Council -	
	59,595	0	0	For Committee of Privy Council for Trade, &c. -	
	2,760	0	0	For Lord Privy Seal -	
	6,106	0	0	For Civil Service Commission - -	
	13,550	0	0	For Paymaster General's Department - -	
	6,640	0	0	For Department of Comptroller General of Exchequer - -	
	30,333	0	0	For Office of Commissioners of Works and Public Buildings -	
	25,708	0	0	For Office of Woods, Forests, &c. - -	
	13,753	0	0	For Public Record Department and State Paper Office - -	
	184,711	0	0	For Administration of Poor Laws - -	
	72,357	0	0	For the Mint - -	
	21,305	0	0	For Salaries, &c. of Inspectors of Factories, Mines, &c. - -	
	6,284	0	0	For Civil Charges, &c., Scotland - -	
	6,431	0	0	For Officers, &c. of Lord Lieutenant of Ireland -	
	10,339	0	0	For Chief Secretary, &c., Ireland - -	
	4,108	0	0	For Inspection, &c. of Lunatic Asylums, Ireland -	

Consolidated Fund (Appropriation).

	£24,570	0	0	For Board of Public Works, Ireland -	To 31st March 1862.
	33,092	0	0	For Department of Commissioners for auditing Public Accounts -	
	20,029	0	0	For Copyhold, Inclosure, and Tithe Commission -	
	12,190	0	0	For Imprest Expenses, &c. of Copyhold, Inclosure, and Tithe Commission -	
	47,163	0	0	For Salaries, &c., General Register Office, London, Dublin, and Edinburgh	
	14,482	0	0	For Salaries, &c., National Debt Office - -	
	4,120	0	0	For Salaries, &c., Public Works Loan Commission, &c. - -	
	6,975	0	0	For Lunacy Commission, England, and Salaries, &c., Lunacy Board, Scotland - -	
	1,223	0	0	For General Superintendent of County Roads in South Wales -	
	2,273	0	0	For Registrars of Friendly Societies, England, Scotland, and Ireland -	
	17,398	0	0	For Charity Commission -	
	5,055	0	0	For Salaries, &c. of Office under the Local Government Act, and Inspection of Burial Grounds	
	1,192	0	0	For collecting Agricultural and Emigration Statistics, Ireland -	
	2,113	0	0	For Salaries in Land Revenue Records and Inrolments, London, &c. -	
	1,644	0	0	For Quarantine Expenses	
	32,000	0	0	For Foreign and other Secret Services -	
	416,218	0	0	For Stationery, &c., for Public Departments -	
	100,148	0	0	For Postage of Letters on the Public Service -	
				CIVIL SERVICES.—*Class* 3.	
§ 23.	32,395	0	0	For Law Charges and Office of Solicitor to the Treasury, &c. -	

Consolidated Fund (Appropriation).

£ 167,000	0	0	For Prosecutions at Assizes and Quarter Sessions, &c. - -	
224,575	0	0	For Police in Counties and Boroughs in England and Wales, and Police in Scotland -	
3,020	0	0	For Crown Office, Queen's Bench - - -	
10,950	0	0	For Department of Registrar of the Admiralty, and Admiralty Court, Dublin - -	
6,176	0	0	For Insolvent Debtors Court - - -	
71,980	0	0	For Court of Probate, &c.	
200,320	0	0	For County Courts -	
21,355	0	0	For Police Courts of the Metropolis - -	
136,204	0	0	For Metropolitan Police -	
3,500	0	0	For Queen's Prison -	
17,850	0	0	For Revising Barristers, England and Wales -	
3,342	0	0	For Lord Advocate and Solicitor General, Scotland - - -	To
18,213	0	0	For Salaries, Court of Session, Scotland -	31st March 1862.
11,071	0	0	For Court of Justiciary, Scotland - -	
4,000	0	0	For Criminal Prosecutions by Lord Advocate -	
1,620	0	0	For certain Officers in the Exchequer in Scotland	
25,000	0	0	For Criminal Prosecutions, &c. in Scotland -	
18,935	0	0	For Procurators Fiscal in Scotland - - -	
11,730	0	0	For Sheriff Clerks Scotland - - -	
2,200	0	0	For Expenses in Matters of Tithes, &c. - -	
17,457	0	0	For General Register House, Edinburgh -	
2,425	0	0	For Department of Commissary Clerk, Edinburgh - - -	
1,528	0	0	For Department of Accountant in Bankruptcy, Scotland - -	
61,684	0	0	For Criminal Prosecutions, &c., Ireland -	

£ 4,663	0	0	For Court of Chancery, Ireland - -	To 31st March 1862.
18,851	0	0	For Courts of Queen's Bench, Common Pleas, &c., Ireland - -	
5,932	0	0	For Registrars to Judges, Ireland, &c. - -	
4,000	0	0	For Compensations to Seneschals, &c. of Manor Courts, Ireland	
2,319	0	0	For Office for Registration of Judgments in Ireland - -	
300	0	0	For Fees to Advocates, High Court of Delegates - -	
7,888	0	0	For Salaries, &c. of Court of Bankruptcy, &c., Ireland - -	
7,380	0	0	For Court of Probate, &c., Ireland - -	
11,311	0	0	For Landed Estates Court, Ireland - -	
2,253	0	0	For Consolidated Office of Writs, Four Courts, Dublin - -	
450	0	0	For Revising Barristers, Dublin - -	
47,051	0	0	For Salaries of Police Justices, Metropolitan Police, &c., Dublin -	
696,947	0	0	For Constabulary Force, Ireland - -	
2,717	0	0	For Four Courts, Marshalsea, Dublin -	
17,695	0	0	For General Superintendence of Prisons, &c. -	
356,879	0	0	For Government Prisons and Convict Establishments at home - -	
211,976	0	0	For Maintenance of Prisoners and Removal of Convicts - -	
15,776	0	0	For Transportation of Convicts - - -	
150,590	0	0	For Convict Establishments in the Colonies -	
			CIVIL SERVICES.—*Class* 4.	
§ 24. 803,794	0	0	For Public Education, Great Britain - -	

	£ 111,484	0	0	For Department of Science and Art, &c. - -	To 31st March 1862.
	285,377	0	0	For Public Education, Ireland - - -	
	1,257	0	0	For Secretary, &c. of Commissioners of Education, Ireland - -	
	4,995	0	0	For University of London	
	16,285	0	0	For Scottish Universities	
	2,336	0	0	For Queen's University, Ireland - -	
	4,800	0	0	For Queen's Colleges, Ireland - - -	
	500	0	0	For Royal Irish Academy	
	2,500	0	0	For Theological Professors, Retired Allowances, &c., Belfast -	
	12,134	0	0	For Expenses, Purchase of Pictures, &c. of the National Gallery -	
	2,000	0	0	For Gallery of Portraits of Eminent Persons -	For the Year ending 31st March 1862.
	3,000	0	0	For purchasing Objects of Art from Prince Soltykoff's Collection -	
	7,620	0	0	For Magnetic Observations abroad, &c. -	
	500	0	0	For Royal Geographical Society - -	
	1,000	0	0	For Experiments by Royal Society - -	
	100,414	0	0	For Salaries, &c. at British Museum, including Buildings, &c. -	
				CIVIL SERVICES.—*Class 5.*	
§ 25.	4,300	0	0	For Civil Establishment, Bermudas - -	To 31st March 1862.
	6,278	0	0	For Ecclesiastical Establishment of British North American Provinces - - -	
	1,600	0	0	For Indian Department, Canada - - -	
	17,800	0	0	For British Columbia -	
	14,728	0	0	For Salaries of West Indian and Colonial Governors - -	
	5,706	0	0	For Stipendiary Justices in West Indies and Mauritius - -	

£ 15,230	0	0	For Civil Establishments, West Coast of Africa -	To 31st March 1862.
5,954	0	0	For St. Helena - -	
700	0	0	For Officers employed in Orange River Territory	
15,000	0	0	For Improvement of Kaffirs, and Government of British Kaffraria -	
960	0	0	For Heligoland - -	
3,986	0	0	For Falkland Islands -	
8,014	0	0	For Labuan - -	
500	0	0	For Pitcairn's Islanders -	
1,800	0	0	For Inquiry concerning Sovereignty of Fiji Islands - -	For the Year ending 31st March 1862.
10,090	0	0	For Emigration Board and Officers - -	To 31st March 1862.
125,098	0	0	For Expenses on account of Treasury Chest -	
5,000	0	0	For Expedition to River Zambesi - -	
7,000	0	0	For Expedition to River Niger - - -	
2,000	0	0	For Exploration in North-western Part of Australia - - -	
50,000	0	0	For Support of captured Negroes and liberated Africans, &c. - -	
4,750	0	0	For Mixed Commissions for suppressing the Slave Trade - -	
168,143	0	0	For Consular Establishments abroad - -	
64,646	0	0	For Establishments in China, Japan, and Siam	
40,000	0	0	For Extraordinary Disbursements of Embassies and Missions abroad - -	
50,000	0	0	For Special Missions, Outfits, &c. - -	
60,000	0	0	For surveying Boundary Line in Western Part of North America -	
			CIVIL SERVICES.—*Class* 6.	
§ 26. 185,140	0	0	For Superannuation Allowances, and Compensations, Public Service	

	£ 10,000	0	0	For Compensation under Probates and Letters of Administration Acts, 1857 - - -	To 31st March 1862.
	1,040	0	0	For Toulonese and Corsican Emigrants, &c. -	
	325	0	0	For the Refuge for the Destitute - -	
	3,210	0	0	For Polish Refugees, &c.	
	3,951	0	0	For Miscellaneous Allowances formerly defrayed from Civil List, &c. -	
	2,539	0	0	For Treasurers of Public Infirmaries, Ireland -	
	2,600	0	0	For Westmoreland Lock Hospital, Dublin -	
	700	0	0	For Rotunda Lying-in Hospital, Dublin -	
	200	0	0	For Coombe Lying-in Hospital, Dublin - -	
	7,600	0	0	For Hospitals of House of Industry, Dublin -	
	2,500	0	0	For House of Recovery and Fever Hospital, Dublin - -	
	600	0	0	For Meath Hospital, Dublin - - -	
	100	0	0	For St. Mark's Ophthalmic Hospital, Dublin -	
	1,300	0	0	For Dr. Steevens' Hospital, Dublin - -	
	265	0	0	For Board of Superintendence of Hospitals, Dublin - -	
	58,700	0	0	For Pensions to Masters, &c. of Merchant Service - - -	
	20,400	0	0	For Distressed British Seamen abroad -	
	8,721	0	0	For Charitable Allowances charged on Concordatum Fund in Ireland, &c. - -	
	39,747	0	0	For Nonconforming, &c. Ministers in Ireland -	
				CIVIL SERVICES.—*Class* 7.	
§ 27.	3,750	0	0	For Ecclesiastical Commissioners, England -	
	18,706	0	0	For Salaries, &c. for sundry temporary Commissions - - -	

£ 29,005	0	0	For Fees, &c. under Patent Law Amendment Act -	To 31st March 1862.
13,018	0	0	For Board of Fisheries, Scotland - -	
2,000	0	0	For Annuity to Board of Manufacturers, Scotland - - -	
35,000	0	0	For Dues payable under Treaties of Reciprocity	
3,500	0	0	For Inspectors of Corn Returns - -	
1,000	0	0	For defining Boundaries of Counties, &c., Ireland - - -	
126,930	0	0	For Expenses of Census -	
26,457	0	0	For Engagements with Telegraph Companies -	
36,600	0	0	For Telegraphic Communication between Malta and Alexandria -	
155,000	0	0	For Redemption of Stade Tolls.	

§ **28.** Supplies to be applied only for the Purposes aforesaid.

29. Expenditure for Navy and Army Services respectively to be confined to the separate Services for which granted.

Treasury may, on Application, alter the proportionate Amounts for such separate Services, provided the total Grant to each Department be not exceeded.

30. Rules to be observed in the Application of the Sum appropriating Half Pay.

Not to prevent the receiving of Half Pay under any Act relating to the General or Local Militia, &c.

31. Paymaster General, by Permission of the Treasury, may issue Half Pay to Officers appointed to Civil Offices since July 1828.

32. An Account of the Number of Officers so receiving Half Pay to be laid before Parliament annually.

Treasury may authorize Military Officers in Civil Employments to receive Half Pay in certain Cases.

Half Pay Allowances to Chaplains of Regiments not holding Ecclesiastical Benefices derived from the Crown.

33. Widows, &c. claiming Pensions to make required Declaration.

34. Declarations to be made as specified in 5 & 6 W. 4. c. 62.

CAP. CIV.

An Act for establishing High Courts of Judicature in *India*.

[6th *August* 1861.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. It

High Courts may be established in the several Presidencies of India.

1. It shall be lawful for Her Majesty, by Letters Patent under the Great Seal of the United Kingdom, to erect and establish a High Court of Judicature at *Fort William* in *Bengal* for the *Bengal* Division of the Presidency of *Fort William* aforesaid, and by like Letters Patent to erect and establish like High Courts at *Madras* and *Bombay* for those Presidencies respectively, such High Courts to be established in the said several Presidencies at such Time or respective Times as to Her Majesty may seem fit, and the High Court to be established under any such Letters Patent in any of the said Presidencies shall be deemed to be established from and after the Publication of such Letters Patent in the same Presidency, or such other Time as in such Letters Patent may be appointed in this Behalf.

Constitution of High Courts.

2. The High Court of Judicature at *Fort William* in *Bengal* and at the Presidencies of *Madras* and *Bombay* respectively shall consist of a Chief Justice and as many Judges, not exceeding Fifteen, as Her Majesty may from Time to Time think fit and appoint, who shall be selected from—

1st. Barristers of not less than Five Years standing; or,

2d. Members of the Covenanted Civil Service of not less than Ten Years standing, and who shall have served as Zillah Judges, or shall have exercised the like Powers as those of a Zillah Judge for at least Three Years of that Period; or,

3d. Persons who have held Judicial Office not inferior to that of Principal Sudder Ameen or Judge of a Small Cause Court for a Period of not less than Five Years; or,

4th. Persons who have been Pleaders of a Sudder Court or High Court for a Period of not less than Ten Years, if such Pleaders of a Sudder Court shall have been admitted as Pleaders of a High Court:

Provided that not less than One Third of the Judges of such High Courts respectively, including the Chief Justice, shall be Barristers, and not less than One Third shall be Members of the Covenanted Civil Service.

Certain existing Judges to be First Judges of High Court.

3. Provided always, That the Persons who at the Time of the Establishment of such High Court in any of the said Presidencies are Judges of the Supreme Court of Judicature and permanent Judges of the Court of Sudder Dewanny Adawlut or Sudder Adawlut of the same Presidency shall be and become Judges of such High Court without further Appointment for that Purpose; and the Chief Justice of such Supreme Court shall become the Chief Justice of such High Court.

Tenure of Office of High Courts.

4. All the Judges of the High Courts established under this Act shall hold their Offices during Her Majesty's Pleasure: Provided that it shall be lawful for any Judge of a High Court to resign such Office of Judge to the Governor General of *India* in Council or Governor in Council of the Presidency in which such High Court is established.

Precedence of Judges of High Courts.

5. The Chief Justice of any such High Court shall have Rank and Precedence before the other Judges of the same Court, and such of the other Judges of such Court as on its Establishment shall

shall have been transferred thereto from the Supreme Court shall have Rank and Precedence before the Judges of the High Court not transferred from the Supreme Court, and, except as aforesaid, all the Judges of each High Court shall have Rank and Precedence according to the Seniority of their Appointments, unless otherwise provided in their Patents.

Salaries, &c. of Judges of the High Courts.

6. Any Chief Justice or Judge transferred to any High Court from the Supreme Court shall receive the like Salary and be entitled to the like Retiring Pension and Advantage as he would have been entitled to for and in respect of Service in the Supreme Court, if such Court had been continued, his Service in the High Court being reckoned as Service in the Supreme Court; and, except as aforesaid, it shall be lawful for the Secretary of State in Council of *India* to fix the Salaries, Allowances, Furloughs, Retiring Pensions, and (where necessary) Expenses for Equipment and Voyage of the Chief Justices and Judges of the several High Courts under this Act, and from Time to Time to alter the same: Provided always, that such Alteration shall not affect the Salary of any Judge appointed prior to the Date thereof.

Provision for Vacancy of the Office of Chief Justice or other Judge.

7. Upon the happening of a Vacancy in the Office of Chief Justice, and during any Absence of a Chief Justice, the Governor General in Council or Governor in Council, as the Case may be, shall appoint One of the Judges of the same High Court to perform the Duties of Chief Justice of the said Court until some Person has been appointed by Her Majesty to the Office of Chief Justice of the same Court, and has entered on the Discharge of the Duties of such Office, or until the Chief Justice has returned from such Absence; and upon the happening of a Vacancy in the Office of any other Judge of any such High Court, and during any Absence of any such Judge, or on the Appointment of any such Judge to act as Chief Justice, it shall be lawful for the Governor General in Council or Governor in Council, as the Case may be, to appoint a Person, with such Qualifications as are required in Persons to be appointed to the High Court, to act as a Judge of the said High Court, and the Person so appointed shall be authorized to sit and to perform the Duties of a Judge of the said Court until some Person has been appointed by Her Majesty to the Office of Judge of the same Court, and has entered on the Discharge of the Duties of such Office, or until the absent Judge has returned from such Absence, or until the Governor General in Council or Governor in Council as aforesaid shall see Cause to cancel the Appointment of such acting Judge.

Abolition of Supreme Courts and Sudder Courts.

8. Upon the Establishment of such High Court as aforesaid in the Presidency of *Fort William* in *Bengal* the Supreme Court and the Court of Sudder Dewanny Adawlut and Sudder Nizamut Adawlut at *Calcutta* in the same Presidency shall be abolished:

And upon the Establishment of such High Court in the Presidency of *Madras* the Supreme Court and the Court of Sudder Adawlut and Foujdarry Adawlut in the same Presidency shall be abolished:

And upon the Establishment of such High Court in the Presidency of *Bombay* the Supreme Court and the Court of Sudder Dewanny

Dewanny Adawlut and Sudder Foujdarry Adawlut in the same Presidency shall be abolished:

And the Records and Documents of the several Courts so abolished in each Presidency shall become and be Records and Documents of the High Court established in the same Presidency.

Jurisdiction and Powers of High Courts.

9. Each of the High Courts to be established under this Act shall have and exercise all such Civil, Criminal, Admiralty, and Vice-Admiralty, Testamentary, Intestate, and Matrimonial Jurisdiction, original and appellate, and all such Powers and Authority for and in relation to the Administration of Justice in the Presidency for which it is established, as Her Majesty may by such Letters Patent as aforesaid grant and direct, subject, however, to such Directions and Limitations as to the Exercise of original Civil and Criminal Jurisdiction beyond the Limits of the Presidency Towns as may be prescribed thereby; and, save as by such Letters Patent may be otherwise directed, and subject and without Prejudice to the Legislative Powers in relation to the Matters aforesaid of the Governor General of *India* in Council, the High Court to be established in each Presidency shall have and exercise all Jurisdiction and every Power and Authority whatsoever in any Manner vested in any of the Courts in the same Presidency abolished under this Act at the Time of the Abolition of such last-mentioned Courts.

High Courts to exercise same Jurisdiction as Supreme Courts.

10. Until the Crown shall otherwise provide under the Powers of this Act, all Jurisdiction now exercised by the Supreme Courts of *Calcutta*, *Madras*, and *Bombay* respectively over Inhabitants of such Parts of *India* as may not be comprised within the local Limits of the Letters Patent to be issued under this Act establishing High Courts at *Fort William*, *Madras*, and *Bombay*, shall be exercised by such High Courts respectively.

Existing Provisions applicable to Supreme Courts to apply to High Courts.

11. Upon the Establishment of the said High Courts in the said Presidencies respectively all Provisions then in force in *India* of Acts of Parliament, or of any Orders of Her Majesty in Council, or Charters, or of any Acts of the Legislature of *India*, which at the Time or respective Times of the Establishment of such High Courts are respectively applicable to the Supreme Courts at *Fort William* in *Bengal*, *Madras*, and *Bombay* respectively, or to the Judges of those Courts, shall be taken to be applicable to the said High Courts, and to the Judges thereof respectively, so far as may be consistent with the Provisions of this Act, and the Letters Patent to be issued in pursuance thereof, and subject to the Legislative Powers in relation to the Matters aforesaid of the Governor General of *India* in Council.

Provision as to pending Proceedings in abolished Courts.

12. From and after the Abolition of the Courts abolished as aforesaid in any of the said Presidencies, the High Court of the same Presidency shall have Jurisdiction over all Proceedings pending in such abolished Courts at the Time of the Abolition thereof, and such Proceedings, and all previous Proceedings in the said last-mentioned Courts, shall be dealt with as if the same had been had in the said High Court, save that any such Proceedings may be continued, as nearly as Circumstances permit, under

under and according to the Practice of the abolished Courts respectively.

High Courts may provide for Exercise of Jurisdiction by single Judges, &c.

13. Subject to any Laws or Regulations which may be made by the Governor General in Council the High Court established in any Presidency under this Act may by its own Rules provide for the Exercise, by One or more Judges, or by Division Courts constituted by Two or more Judges of the said High Court, of the original and appellate Jurisdiction vested in such Court, in such Manner as may appear to such Court to be convenient for the due Administration of Justice.

Chief Justice to determine what Judges shall sit alone, &c.

14. The Chief Justice of each High Court shall from Time to Time determine what Judge in each Case shall sit alone, and what Judges of the Court, whether with or without the Chief Justice, shall constitute the several Division Courts as aforesaid.

High Court to superintend and to frame Rules of Practice for subordinate Courts.

15. Each of the High Courts established under this Act shall have Superintendence over all Courts which may be subject to its appellate Jurisdiction, and shall have Power to call for Returns, and to direct the Transfer of any Suit or Appeal from any such Court to any other Court of equal or superior Jurisdiction, and shall have Power to make and issue General Rules for regulating the Practice and Proceedings of such Courts, and also to prescribe Forms for every Proceeding in the said Courts for which it shall think necessary that a Form be provided, and also for keeping all Books, Entries, and Accounts to be kept by the Officers, and also to settle Tables of Fees to be allowed to the Sheriff, Attorneys, and all Clerks and Officers of Courts, and from Time to Time to alter any such Rule or Form or Table; and the Rules so made, and the Forms so framed, and the Tables so settled shall be used and observed in the said Courts, provided that such General Rules and Forms and Tables be not inconsistent with the Provisions of any Law in force, and shall before they are issued have received the Sanction, in the Presidency of *Fort William*, of the Governor General in Council, and in *Madras* or *Bombay* of the Governor in Council of the respective Presidencies.

Her Majesty may establish a High Court in the North-western Provinces.

16. It shall be lawful for Her Majesty, if at any Time hereafter Her Majesty see fit so to do, by Letters Patent under the Great Seal of the United Kingdom, to erect and establish a High Court of Judicature in and for any Portion of the Territories within Her Majesty's Dominions in *India*, not included within the Limits of the local Jurisdiction of another High Court, to consist of a Chief Justice and of such Number of other Judges, with such Qualifications as are required in Persons to be appointed to the High Courts established at the Presidencies herein-before mentioned, as Her Majesty from Time to Time may think fit and appoint; and it shall be lawful for Her Majesty by such Letters Patent to confer on such Court any such Jurisdiction, Powers, and Authority as under this Act is authorized to be conferred on or will become vested in the High Court to be established in any Presidency herein-before mentioned; and, subject to the Directions of such Letters Patent, all the Provisions of this Act having reference to the High Court established in any such Presidency, and to the Chief Justice and other Judges of such Court, and to the

the Governor General or Governor of the Presidency in which such High Court is established, shall, as far as Circumstances may permit, be applicable to the High Court established in the said Territories, and to the Chief Justice and other Judges thereof, and to the Person administering the Government of the said Territories.

Other or supplemental Charters may be granted within Three Years after Establishment of Court.

17. It shall be lawful for Her Majesty, if Her Majesty shall so think fit, at any Time within Three Years after the Establishment of any High Court under this Act, by Her Letters Patent to revoke all or such Parts or Provisions as Her Majesty may think fit of the Letters Patent by which such Court was established, and to grant and make such other Powers and Provisions as Her Majesty may think fit, and as might have been granted or made by such First Letters Patent, or without any such Revocation as aforesaid, by like Letters Patent to grant and make any additional or supplementary Powers and Provisions which might have been granted or made in the first instance.

Territorial Limits may be altered by Order in Council.

18. It shall be lawful for Her Majesty, from Time to Time by Her Order in Council, to transfer any Territory or Place from the Jurisdiction of One to the Jurisdiction of any other of the High Courts established under this Act, and generally to alter and determine the territorial Limits of the Jurisdiction of the said several Courts as to Her Majesty, with the Advice of Her Privy Council, may seem meet.

Interpretation of Terms.

19. The Word "Barrister" in this Act shall be deemed to include Barristers of *England* or *Ireland* or Members of the Faculty of Advocates in *Scotland*; and the Words "Governor General and Governor" shall comprehend the Officer administering the Government.

CAP. CV.

An Act to prevent the future Grant by Copy of Court Roll and certain Leases of Lands and Hereditaments in *England* belonging to Ecclesiastical Benefices.

[6th *August* 1861.]

'WHEREAS there are in *England* certain Ecclesiastical 'Benefices to which belong Manors, Lands, Tenements, 'and Hereditaments which, by Custom or otherwise, the Rectors, 'Vicars, Perpetual Curates, or Incumbents thereof have Power to 'grant and lease out for Lives and long Terms of Years, and such 'Grants have been made by them at nominal annual Rents, to the 'Prejudice of their Successors, and it is expedient to determine 'and put an end to the Power to make such Grants:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

No Grant by any future Prebendary, Rector, &c. to be valid, unless

1. It shall not be lawful for any Prebendary of any Prebend, not being a Prebend of any Cathedral or Collegiate Church, Rector, Vicar, Perpetual Curate, or Incumbent who after the passing of this Act may become possessed of or entitled to any Manors, Lands,

Lands, Tenements, or Hereditaments belonging to any Ecclesiastical Benefice in *England*, to make any Grant by Copy of Court Roll or Lease of any such Manors, Lands, Tenements, or Hereditaments in consideration of any Fine, Premium, or Foregift, but the same may, by any Rector, Vicar, Perpetual Curate, or Incumbent appointed after the passing of this Act, be leased, sold, exchanged, or enfranchised, or disposed of under the Provisions of a certain Act passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of Her Majesty, Chapter Twenty-seven, intituled *An Act for better enabling Incumbents of Ecclesiastical Benefices to demise the Lands belonging to their Benefices on Farming Leases;* of a certain other Act passed in the same Session of Parliament, Chapter One hundred and eight, intituled *An Act for enabling Ecclesiastical Corporations, aggregate and sole, to grant Leases for long Terms of Years;* and of a certain other Act passed in the Session of Parliament held in the Twenty-first and Twenty-second Years of the Reign of Her Majesty, Chapter Fifty-seven, intituled *An Act to amend the Act of the Fifth and Sixth Years of Her present Majesty, for enabling Ecclesiastical Corporations, aggregate and sole, to grant Leases for long Terms of Years*, or such of the Provisions of such Acts respectively as are now in force.

made in conformity with the Provisions of certain Acts.

2. Nothing herein contained shall interfere with or prevent the Right and Power of any such present Prebendary, Rector, Vicar, Perpetual Curate, or Incumbent, during his Incumbency, to make any Grant by Copy of Court Roll or Lease which he might lawfully have made before the passing of this Act, and nothing herein contained shall prejudice or affect any Grant heretofore made by any such Prebendary, Rector, Vicar, Perpetual Curate, or Incumbent, or any Right of Renewal or Tenant Right, if any such there be, in any Manors, Lands, Tenements, or Hereditaments held under any such Grant, or under any Lease, nor shall this Act prejudice or affect any Power of Sale, Exchange, or Enfranchisement existing under any Statute now in force, or any present or future Right of Admission of any Person to any Copyhold Tenement according to the Custom of the Manor of which it is holden, and to which such Person may be legally entitled.

Reserving Rights of present Incumbents and other Rights.

3. Notwithstanding anything contained in the Eleventh Section of an Act passed in the Session held in the Fourteenth and Fifteenth Years of Her Majesty, Chapter One hundred and four, any Rector, Vicar, Perpetual Curate, or Incumbent shall have such and the same Powers of Sale, Exchange, and Enfranchisement as are possessed by any Ecclesiastical Corporation, sole or aggregate, under any Act now in force; and the Provisions of an Act passed in the Session held in the Twenty-third and Twenty-fourth Years of Her Majesty, Chapter One hundred and twenty-four, shall, so far as the same relate to Powers for the raising or Application of Money by Trustees, Allowances to Lessees, Arbitration, Valuation, Rate of Interest, Apportionment of Rent, and Substitution of Titles on Exchange, be applied, *mutatis mutandis*, to Sales, Exchanges, or Enfranchisements of any Manors, Lands, Tenements, or Hereditaments in this Act comprised; but the Proceeds

Rectors to have same Powers of Sale as are possessed by Ecclesiastical Corporations.

Proceeds of any such Sales or Enfranchisements, and any Monies received by way of Equality of Exchange, shall be applied according to the Provisions in that Behalf contained in the said Act passed in the Session held in the Fifth and Sixth Years of Her Majesty, Chapter One hundred and eight, and in the said Act passed in the Session held in the Twenty-first and Twenty-second Years of Her Majesty, Chapter Fifty-seven.

CAP. CVI.

An Act to enable the Admiralty to close the Harbour of *Portpatrick* in *Scotland* during the Execution of certain Works in such Harbour sanctioned by Parliament.

[6th *August* 1861.]

'WHEREAS Parliament having voted the Sum of Twenty thousand Pounds for the Improvement of the Harbour of *Portpatrick* in *Scotland*, with a view to the Resumption of the Packet Service between *Scotland* and *Ireland*, the Commissioners for executing the Office of Lord High Admiral of the United Kingdom have on the Part of Her Majesty contracted for the Execution of certain Works, in order that such Harbour may be improved accordingly, for the Use of a Packet Service with *Ireland*: And whereas it is expedient that the Admiralty shall have Power to close up the said Harbour during the Execution of the said Works:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power for Admiralty to close the Harbour.

1. It shall be lawful for the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of the said Lord High Admiral, or any Two of such Commissioners, by Writing under his or their Hand or Hands, to stop up and close, either partly or altogether, the said Harbour of *Portpatrick* during the Execution of the said Works, when and so long and so often as the said Lord High Admiral or the said Commissioners shall deem fit, and during the Time the said Harbour shall be so stopped up or closed it shall not be lawful for any Person to navigate or move or cause to be navigated or moved any Ship or any Vessel, Boat, or Barge of any Description into or out of or within the said Harbour, save and except in such Cases and under such Circumstances and Restrictions as the said Lord High Admiral or the said Commissioners shall by Writing under his or their Hand or Hands permit.

Penalty for navigating Ship, &c. in the Harbour when ordered to be closed.

2. If any Person navigate or move, or cause to be navigated or moved, any Ship, Vessel, Boat, or Barge, contrary to the Provisions of this Act, every such Offender shall forfeit and pay any Sum not exceeding Twenty Pounds, and shall also pay the full Amount of all Damage (if any) which the said Works, and the Machinery and other Means for executing such Works, or any of them, or any Part thereof, may have thereby sustained; and every such Penalty, and the Amount of every such Damage, (if any,)

any,) shall be paid to such Officer or Person as the said Lord High Admiral or the said Commissioners may direct notwithstanding any Law to the contrary, and may be recovered by the Procurator Fiscal of any Court, or any Person or Persons who shall, with the Permission of the said Lord High Admiral or the said Commissioners, sue for the same before any Sheriff or Two Justices of the Peace; and it shall be lawful for the Sheriff or Justices before whom any Complaint for the Recovery of any Penalty or Damage may be brought to proceed in a summary Way, and to grant Warrant for bringing the Parties complained upon immediately before him or them, and on Proof on Oath by One or more credible Witness or Witnesses, or other legal Evidence, forthwith to determine and give Judgment in such Complaint, without any Written Pleadings or Record of Evidence, and to grant Warrant for the Recovery of any Penalties, Expenses, and Damage decerned for, failing Payment within Eight Days after Conviction, by Poinding, and Imprisonment for a Period, at the Discretion of the Sheriff or Justices, not exceeding Six Calendar Months.

CAP. CVII.

An Act to alter and amend the Law relating to Parochial and Burgh Schools, and to the Test required to be taken by Schoolmasters in *Scotland*. [6th *August* 1861.]

'WHEREAS an Act was passed in the Forty-third Year of the Reign of His Majesty *George* the Third, Chapter Fifty-four, intituled *An Act for making better Provision for the Parochial Schoolmasters, and for making further Regulations for the better Government of the Parish Schools in* Scotland: And whereas it is expedient to amend the said Act, and to make further and other Provisions for the Maintenance and Government of the said Schoolmasters and Schools, and to abolish the Test imposed by Law on Schoolmasters in *Scotland*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 43 G. 3. c. 54.

1. Where not inconsistent with the Context, the following Expressions shall have the Meaning herein-after assigned them; that is to say, Interpretation of Terms.

The Expression "Parochial School" shall mean and include every School established or to be established or provided for under the said recited Act:

The Expression "Burgh School" shall mean and include every Burgh, Grammar, or other public School, not being a Parochial School.

2. From and after the Term of *Martinmas* next after the passing of this Act the Salary of every Schoolmaster of any Parochial School shall not be less than the Sum of Thirty-five Pounds nor more than the Sum of Seventy Pounds *per Annum*: Provided always, that where Two or more Schools have been or shall Schoolmasters Salaries to be not less than 35*l.* nor more than 70*l.* per Annum, but

where Two or more Schools, not less than 50*l.* nor more than 80*l.*

shall be established in any Parish in Terms of the said Act the total Amount of the Salary payable to the Schoolmasters therein shall not be less than Fifty Pounds nor more than Eighty Pounds *per Annum*, to be apportioned among the said Schoolmasters as the Heritors shall determine, in the Manner provided by the said Act; and the Salaries herein provided shall be in lieu of the Salaries payable under the Provisions of the said Act: Provided also, that it shall be lawful for the Heritors, if they shall think fit, to make any Addition granted by them to the Salary of any Schoolmaster beyond the minimum Amount hereby fixed to be dependent upon the Number of Scholars receiving Instruction in his School, under such Regulations as they may deem expedient.

Salary to be fixed by the Heritors and Minister, and to be payable in Money at the Terms and under Conditions now in use.

3. The Minister of every Parish in which there is a Parochial School shall, within Three Months from and after the passing of this Act, and on every Occasion of a Vacancy in the Office of Schoolmaster within Six Weeks after such Vacancy shall have taken place, call a Meeting of the Heritors together with the said Minister, in the Manner prescribed in the said recited Act, for the Purpose of fixing the Salary of the Schoolmaster under this Act, subject always to the Appeal provided in the said recited Act; and the Salary to be so fixed shall be payable in Sterling Money, at the same Terms and under the same Conditions, Provisions, and Regulations as are at present in use; and in case in regard to any Parish such Meeting shall not have been held or the Salary shall not have been fixed in manner and within the Period herein prescribed, the Salary shall, until such Meeting shall have been held and such Salary so fixed, be held as fixed at the Amount of Fifty Pounds *per Annum*, which Amount shall be payable to the Schoolmaster in manner herein-before prescribed; and where Two or more Schools have been established in any One Parish, the said Sum of Fifty Pounds shall be payable to the several Schoolmasters thereof, in the same Proportion according to which their several Salaries were payable before the passing of this Act: Provided always, that where any Parish shall be vacant at the Time of the passing of this Act, or become vacant before any such Meeting shall be called, or where any Minister shall decline or delay calling such Meeting, after having been required so to do by any Heritor or Heritors holding not less than One Third of the Valuation of the Parish, it shall be competent for such Heritor or Heritors to call, by Notice affixed to the Door of the Parish Church, and either a Circular sent to each Heritor, or an Advertisement published in a Newspaper of general Circulation in the District, a Meeting for the Purpose of fixing the Salary of the Schoolmaster under this Act, and the Salary fixed at such Meeting within the Limits specified in this Act shall be the Salary of the Schoolmaster or Schoolmasters.

Heritors may discontinue existing Side Schools.

4. At the Meeting aforesaid it shall be lawful for the Heritors and Minister to resolve to discontinue, from and after a Date to be fixed by them, any subsisting Side School in the Parish: Provided always, that if such Side School is not vacant at the Date of such Meeting they shall provide to the Schoolmaster thereof during his Life, from and after its Discontinuance, an annual Payment

Payment equal in Amount to the full Salary to which at the Date of the passing of this Act he had Right by Law, under the Provisions of the said recited Act, together with the annual Value of any Dwelling House to which he may have been entitled as such Schoolmaster, as the same is or shall be valued by the Assessor for the County, which Amount shall be assessed, levied, and paid over and above the Salaries payable under this Act, and in like Manner as such Salaries are hereby directed to be assessed, levied, and paid.

Heritors may establish a Female Teacher.

5. It shall be lawful for the Heritors and Minister, at the Meeting aforesaid, or at any subsequent Meeting duly called for that Purpose, to resolve that a Female Teacher shall be established, to give Instruction in such Branches of Female Industrial and Household Training, as well as of Elementary Education, as they shall then or from Time to Time prescribe, and to provide, over and above the Salary herein-before mentioned, a yearly Sum not exceeding Thirty Pounds as a Salary for such Female Teacher, which yearly Sum shall be assessed, levied, and paid in like Manner as such herein-before mentioned Salary is hereby directed to be assessed, levied and paid; and it shall be lawful for the said Heritors and Minister to engage and appoint such Female Teacher for such Period of Time and on such Terms and Conditions as shall be agreed on.

Side School Teacher may be required to resign, on increasing Salaries, Provision being made for him during Life.

6. It shall be lawful for the Heritors and Minister, at such Meeting as aforesaid, to resolve to require the Teacher of any Side School in the Parish, on a Notice of not less than Three Months, to resign his Office, on their providing to him during his Life an annual Payment equal in Amount to the full Salary to which at the Date of the passing of this Act he had Right by Law, under the Provisions of the said recited Act, together with the annual Value of any Dwelling House to which he may have been entitled as such Schoolmaster, as the same is or shall be valued by the Assessor of the County, which Amount shall be assessed, levied, and paid over and above the Salaries payable under this Act, and in like Manner as such Salaries are hereby directed to be assessed, levied, and paid; and at the Expiry of Three Months from Notice as aforesaid, if such Teacher shall not previously have given in his Resignation, the Heritors and Minister having made Provision for such annual Payment as aforesaid, the Right of such Teacher to his Office shall cease and determine.

Salaries where not fixed at the maximum Amount may be increased.

7. If in any Parish the Salary shall have been fixed at a yearly Sum less than the maximum Amount herein-before specified, it shall be lawful to the Heritors and Minister, at any Meeting to be called and held in the Manner before prescribed, from Time to Time to increase the Amount of such Salary, provided the same shall not exceed the said maximum Amount, and on any Vacancy in the Office of Schoolmaster from Time to Time to reduce the Salary, so that it shall not be less than the minimum Salary herein-before specified; provided that it shall be the Duty of the Minister to call such Meeting only on the Requisition of any Heritor or Heritors being Proprietors of not less than One

Fourth Part of the whole Lands and Heritages situate within the Parish.

Office of Schoolmaster may be declared vacant where retiring Salary provided for.

8. In case the Heritors shall, previously to the passing of this Act, have entered into any Agreement with the Schoolmaster of any Parish for his Retirement from the Performance of the Duties of his Office, on Payment to him of a retiring Allowance or otherwise, it shall be lawful to the Heritors, at any Meeting to be called and held as aforesaid, to declare the Office of Schoolmaster of such Parish vacant, and to proceed to elect another Schoolmaster, and to grant such retiring Allowance or other Terms to such retiring Schoolmaster as may have been agreed upon as aforesaid, payable during the Remainder of his Life, which retiring Allowance shall be payable in all respects in like Manner with the Salary of the Schoolmaster.

Examination by Examiners appointed by Universities instead of Examination by Presbytery.

9. The Sixteenth Section of the said recited Act shall be and is hereby repealed; and in place of the Examination by the Presbytery therein prescribed it is hereby enacted as follows; viz.,

(1.) It shall be the Duty of the University Court of each University in *Scotland*, as soon as conveniently may be, and in no Case later than Two Months after the passing of this Act, and thereafter from Time to Time, to appoint Six Persons to be Examiners of Parochial Schoolmasters, Three of such Persons being Professors in the Faculty of Arts, and Three of such Persons being Professors in the Faculty of Divinity of the University:

Examiners to hold the Office for Two Years, but may be reappointed; and Vacancies to be filled up.

(2.) The Persons so appointed shall continue to be Examiners during Two Years from and after the Date of their respective Appointments, and until other Persons shall have been in like Manner appointed in their Room; provided that it shall be lawful to the University Court to reappoint all or any of the same Persons to be such Examiners, and to fill up from Time to Time any Vacancy which may occur by the Death, Resignation, or Disqualification of any of the Examiners; and it shall be lawful to each of the Persons so appointed to nominate as his Deputy, with Power to act as his Substitute in case of his Absence at any Meeting of the Examiners, any Person who may have become a Graduate in Arts of the University not later than Three Years prior to such Nomination; provided that such Nomination shall be approved by the University Court, and also provided that the Persons nominated by such Examiners as are Professors in the Faculty of Divinity shall be Ministers or Licentiates of the Church of *Scotland:*

Examiners to make and publish Regulations with Approval of University Court.

(3.) It shall be lawful to the Examiners to make, on or before the Eleventh Day of *November* One thousand eight hundred and sixty-one, and thereafter from Time to Time, such Regulations as they shall see fit in regard to the Time and Manner of Examinations, and as to the Subjects to which the same shall extend, and to regulate the Notice to be given thereof, regard being always had in the framing of

of these Regulations to the Circumstances of each particular District; provided that such Regulations shall be approved of by the University Court; and the said Regulations, when so approved, shall be published by Advertisement in such Manner as the University Court shall direct; and the Examiners may appoint One of their own Number, or any One of their Substitutes, to act as their Secretary; and such Examinations shall be held within the Buildings of the University, and at such Time and Place as shall be fixed by the University Court:

Scotland to be divided into Four Districts, &c.

(4.) For the Purposes of the Examination of Parochial Schoolmasters the Parochial Schools in *Scotland* shall be and are hereby distributed into Four Districts, each in connexion with One of the Universities, as set forth in the Schedule (A.) hereto annexed:

Persons elected Schoolmasters to be examined by the Examiners.

(5.) Every Person elected to be a Parochial Schoolmaster under the Provisions of this and the said recited Act, and every Person elected to be a Schoolmaster under the Provisions of the Act of the First and Second Years of the Reign of Her Majesty, Chapter Eighty-seven, shall, before his Admission to the said Office, and as a Condition thereof, submit himself to the Trial and Examination of the Examiners for the District to which the Parish for which he has been elected appertains, as to his Fitness and Qualifications for the Duties of the said Office; and being found qualified, the said Examiners shall furnish to him a Certificate to that Effect subscribed by them or by a Majority of their Number, which Certificate shall be conclusive Evidence that he has passed the requisite Examination, and been found qualified for the said Office, and the Examiners shall have Power, with Consent of the Committee of the Privy Council on Education, to require the Attendance at any such Examination, for the Purpose of assisting therein, of One of Her Majesty's Inspectors of Schools.

Electors of Schoolmaster may choose more than One Candidate to be tried by Examiners.

10. It shall be lawful for the Persons entitled to elect any Burgh or Parochial Schoolmaster, if they shall see fit, instead of electing some One Person to the vacant Office, to choose and nominate Two Persons or Three Persons to be tried by the Examiners, whose Duty it shall be to make Trial of the comparative Fitness and Qualifications of the Persons so chosen and nominated, and to determine which of them is the best qualified and most fit for the School with reference to which they have been so chosen, and to give the Person so preferred by them a Certificate to that Effect, and such Certificate, along with the Minute of Nomination by the Persons entitled to elect, and also, in the Case of a Parochial Schoolmaster, the Certificate of his having emitted the Declaration herein-after set forth, shall complete the Right of the Person so preferred to the Office of Schoolmaster: Provided always, that if the Examiners shall not be satisfied of the Fitness and Qualifications of any of the Persons nominated as aforesaid, they may decline to grant a Certificate

to any of them, of which Declinature they shall forthwith cause Intimation to be made to the Persons having the Right of Election; and provided further, that in the event of Two or more Candidates for the Office of Schoolmaster being remitted by the Heritors and Minister to the Examiners for competitive Examination, the Heritors shall pay to each of the Examiners a Fee of Ten Shillings for each additional Candidate so examined; and in the event of the Magistrates of any Burgh remitting any Candidate for Examination to the Examiners, they shall pay to each of the Examiners a Fee of One Pound One Shilling if there be only One, and a Fee of Ten Shillings for each additional Candidate.

Treasury to pay 21*s.* each to Examiners for each Examination, and 15*s.* to Secretary.

11. It shall be lawful to the Commissioners of Her Majesty's Treasury to pay out of any Monies which may be voted by Parliament for that Purpose the Sum of One Pound One Shilling to each of the said Examiners for and in respect of every Person examined by them under the Provisions of this Act, and also the Sum of Fifteen Shillings for each such Examination to the Secretary of the Examiners, out of which Sum he shall defray the Expense of the Advertisements required by this Act and other incidental Expenses.

Parochial Schoolmasters not to be required to sign Confession of Faith or Formula, but to make a Declaration and to undertake to conform to the Shorter Catechism.

12. From and after the passing of this Act, it shall not be necessary for any Schoolmaster, or for any Person elected a Schoolmaster, of any Parochial School, or of any School under the Provisions of the Act of the First and Second Years of the Reign of Her Majesty, Chapter Eighty-seven, to profess or subscribe the Confession of Faith, or the Formula of the Church of *Scotland*, or to profess that he will submit himself to the Government and Discipline thereof: Provided always, that every Person elected a Schoolmaster of any such School shall, as a Condition of the Office, and before Admission thereto, produce before the Principal, or, in case of his Absence or Inability to act, before One or other of the Professors in the Faculty of Divinity of the University in which he has been examined, an Extract or certified Copy of the Minutes of his Election, together with the said Certificate by the Examiners, and shall in the Presence of the Principal or Professor emit and subscribe a Declaration in the following Terms; that is to say,

'I *A.B.* do solemnly and sincerely, in the Presence of God, profess, testify, and declare, That, as Schoolmaster of the Parochial School at in the Parish of and in the Discharge of the said Office, I will never endeavour, directly or indirectly, to teach or inculcate any Opinions opposed to the Divine Authority of the Holy Scriptures, or to the Doctrines contained in the Shorter Catechism agreed upon by the Assembly of Divines at Westminster, and approved by the General Assembly of the Church of Scotland, in the Year One thousand six hundred and forty-eight; and that I will faithfully conform thereto in my teaching of the said School, and that I will not exercise the Functions of the said Office to the Prejudice or Subversion of the Church of Scotland as by Law established, or the Doctrines and Privileges thereof.'

And

And the Person elected to be Schoolmaster, having made such Productions and Declaration, shall be furnished with an Attestation to that Effect subscribed by the said Principal or Professor, which Attestation shall complete his Right to the Emoluments provided by this Act.

Presbytery may present Complaint against Schoolmaster.

13. It shall be competent for the Presbytery of the Bounds, or for the Heritors, whensoever they shall see Cause for instituting Proceedings against the Schoolmaster of any Parish, for Contravention of the said Declaration, to present a Complaint to One of Her Majesty's Principal Secretaries of State against such Schoolmaster; and it shall be lawful to the Secretary of State thereupon to appoint a Commission to inquire into the said Charge, and to censure, suspend, or deprive such Schoolmaster, as they shall find to be just; provided that no such Sentence shall take effect until it has been confirmed and approved of by the Secretary of State.

Jurisdiction of the Presbytery in Cases of immoral Conduct or Cruelty transferred to the Sheriff.

14. So much of the Twenty-first Section of the said recited Act as provides that the Presbytery shall take cognizance of, and, if they see Cause, proceed by Libel against any Schoolmaster in respect of any Complaint charging him with immoral Conduct, or cruel and improper Treatment of the Scholars under his Charge, is hereby repealed; and in lieu thereof it is hereby enacted, That it shall be lawful to the Heritors and Ministers, or the Clerk of the Presbytery of the Bounds, by the Authority of the said Presbytery, given on the Application of the Heritors and Minister, or of any Six Heads of Families in the Parish whose Children are attending the School, to make a Complaint in Writing to the Sheriff of the County in which the School is situate, charging the Schoolmaster with immoral Conduct, or cruel and improper Treatment of the Scholars under his Charge, and specifying in such Complaint the particular Acts in respect of which the Complaint is made; and a Copy of such Complaint shall be served upon the Schoolmaster, who shall be required, on an Induciæ of Fourteen Days, to appear before the Sheriff, by himself or his Agent, to answer to the said Complaint; and the Schoolmaster accused shall, if he deny the Charge, if he think fit, answer the Particulars of the Complaint, such Answer to be in Writing, and to be lodged within the said Fourteen Days, or may, when the Cause comes to be tried, state his Plea to be Not Guilty; and the Sheriff shall thereafter proceed to the Trial of the Complaint, and take the Evidence in the same Way as and under the same Rules as those which are in force in the Sheriff Court in regard to Process in Civil Causes; and in the event that he shall find such Complaint or any material and relevant Part thereof to be proved, the Sheriff shall give Judgment accordingly, and shall pass such Sentence of Censure, Suspension, or Deprivation as in his Opinion the Case requires, which Sentence shall be final and not subject to Review, and shall have all the Effects consequent before the passing of this Act on any similar Sentence of any Presbytery under the Provisions of the last-recited Section of the said Act, and no Sentence of Censure, Suspension, or Deprivation otherwise pronounced on

such Charges shall be valid or effectual: Provided always, that where Sentence of Suspension shall be pronounced the Salary of the Schoolmaster in respect of his Office shall cease and determine from the Date of such Sentence until the next Term of *Whitsunday* or *Martinmas* following the Expiration of the Term of Suspension specified in such Sentence, and the Salary accruing during the said Period shall be applied by the Heritors and Minister towards providing a Substitute for such Schoolmaster during the Period of the Suspension.

Expenses incurred by the Complainers to be repaid out of the Rogue Money.

15. The Sheriff shall by his Decerniture ascertain and specify the Amount of the Expenses properly incurred by the Complainers in the Proceedings connected with any Complaint against the Schoolmaster of any Parochial School; and the Complainers shall be entitled to recover the Amount so ascertained from the Collector, and out of the readiest Proceeds of the Assessments commonly called the Rogue Money levied for the County within which the School is situate, under the Provisions of an Act passed in the Eleventh Year of the Reign of His Majesty *George* the First, Chapter Twenty-six; and the Receipt of the Agent of the Complainers shall be a sufficient Discharge to the said Collector for any Payments so made by him out of the said Rogue Money or Assessments.

Repeal of recited Act as to Estimate of Value of Grain at successive Periods.

16. So much of the Second Section of the said recited Act as provides that where the Salaries of Parochial Schoolmasters had been before the passing thereof payable in Grain or Meal such Salary in Grain or Meal should continue to be paid, and also the Third, Fourth, and Sixth Sections of the said recited Act, shall be and are hereby repealed; and it is hereby declared and provided, that the Right of electing a Parochial Schoolmaster, *jure devoluto*, conferred by the Fifteenth Section of the said recited Act on the Commissioners of Supply of the County, after the Expiration of Four Months from the Time when the Vacancy in any Parochial School shall have taken place, shall not arise or accrue to the Commissioners of Supply until the Expiration of Six Months from the Time of such Vacancy.

Schoolmaster's House to consist of Four Apartments.

17. Where in any Parish it shall be necessary to provide a House for the Parochial Schoolmaster, in Terms of the recited Act, and of an Act passed in the First and Second Years of the Reign of Her present Majesty, intituled *An Act to facilitate the Foundation and Endowment of additional Schools in* Scotland, or either of them, such House shall consist of at least Three Apartments besides the Kitchen.

Act not to interfere with Arrangements as to Retirement of Schoolmaster.

18. Nothing in this Act shall be held to interfere with any Arrangement which may have been concluded between the Heritors and Schoolmaster of any Parish for the Retirement of such Schoolmaster, except as regards the House and Garden, and Premises attached thereto, which shall in every Case be made over at the Term of *Whitsunday* next after the passing of this Act to the Person actually discharging the Duties of Schoolmaster, and where the Use of such Premises may have formed Part of a retiring Allowance the Heritors shall make reasonable Compensation to the Ex-Schoolmaster.

19. In

Heritors and Ministers may permit or require Schoolmaster to resign.

19. In case it shall be found, on a Report by One of Her Majesty's Inspectors of Schools, made on the Application of the Heritors of the Parish and concurred in by the Presbytery of the Bounds, that the Schoolmaster of any Parish is disqualified because of Infirmity or Old Age for the due Performance of the Duties of his Office, or that from Negligence or Inattention he has failed efficiently to discharge such Duties, it shall be lawful to the Heritors and Minister, at any Meeting called and held as aforesaid, to permit or require such Schoolmaster to resign his said Office, and in case of his Refusal so to do to dismiss or suspend such Schoolmaster, and when necessary to declare the School vacant; and in every Case of such Resignation the Heritors and Minister may grant to such Schoolmaster a retiring Allowance payable during the Remainder of his Life; provided that where such Resignation shall not be occasioned by any Fault on the Part of the Schoolmaster the Heritors shall grant a retiring Allowance the Amount whereof shall not be less than Two Third Parts of the Amount of the Salary pertaining to said Office at the Date of such Resignation thereof, and shall not exceed the gross Amount of such Salary, which retiring Allowance shall be payable in all respects in like Manner with the Salary of the Schoolmaster; provided also, that no Schoolmaster shall be suspended for a longer Period than Three Months, or be dismissed for Neglect of Duty, excepting under the above Provisions.

Minister and Heritors may grant annual Allowance to Schoolmaster, &c.

20. In all Cases in which the Minister and Heritors are by this Act empowered to provide a retiring Allowance for a Schoolmaster who shall resign or shall be removed from his Office, it shall be lawful for them, if they see fit, to provide for such Schoolmaster, in addition to such Allowance, and in like Manner, a further yearly Sum, equal in Amount to the annual Value of any Dwelling House and Garden to which he may be entitled as such Schoolmaster, as the same shall be valued by the Assessor for the County.

20 & 21 Vict. c. 59. repealed.

21. The whole Provisions of an Act passed in the Twentieth and Twenty-first Years of the Reign of Her present Majesty, Chapter Fifty-nine, intituled *An Act concerning the Parochial Schoolmasters in* Scotland, shall be and are hereby repealed.

Schoolmasters in Royal Burghs not to be required to sign Confession of Faith, &c.

22. From and after the passing of this Act, it shall not be necessary for any Person elected to be a Schoolmaster of any Burgh School to profess or subscribe the Confession of Faith, or the Formula of the Church of *Scotland*, or to profess that he will submit himself to the Government and Discipline thereof, nor shall any such Schoolmaster be subject to the Trial, Judgment, or Censure of the Presbytery of the Bounds for his Sufficiency, Qualifications, or Deportment in his Office, any Statute to the contrary notwithstanding; and this Enactment shall be a sufficient Defence in answer to any Proceedings against any Schoolmaster of any Burgh School in respect that he has not made such Profession or Subscription.

Not to affect Acts as to Parochial Schools, &c.

23. Nothing herein contained shall repeal, alter, or affect the Provisions of the recited Act, or of any other Act relating to Parochial Schools or Schoolmasters in *Scotland*, excepting in so far

far only as shall be necessary to give Effect to the Provisions of this Act.

Short Title. **24.** This Act may be quoted in all Proceedings as "The Parochial and Burgh Schoolmasters (*Scotland*) Act, 1861."

SCHEDULE (A).

DIVISION OF SCOTLAND INTO FOUR DISTRICTS IN CONNEXION WITH THE FOUR UNIVERSITIES.

ST. ANDREWS.	GLASGOW.	ABERDEEN.	EDINBURGH.
All the Parochial Schools situate within any of the Counties of Clackmannan and Kinross, Fife, Forfar, Perth.	All the Parochial Schools situate within any of the Counties of Ayr, Argyll, Bute, Dumbarton, Dumfries, Kirkcudbright, Lanark, Renfrew, Wigton.	All the Parochial Schools situate within any of the Counties of Aberdeen, Banff, Caithness, Elgin and Nairn, Inverness, Kincardine, Orkney and Shetland, Ross and Cromarty, Sutherland.	All the Parochial Schools situate within any of the Counties of Berwick, Edinburgh, Haddington, Linlithgow, Peebles, Roxburgh, Selkirk, Stirling.

CAP. CVIII.

An Act to provide for the winding up the Naval Medical Supplemental Fund Society. [6th *August* 1861.]

Order in Council, dated 13th Aug. 1817.

'WHEREAS under an Order in Council dated the Thirteenth Day of *August* One thousand eight hundred and seventeen the Naval Medical Supplemental Fund Society was established, for the Relief of Widows of Medical Officers in the Royal Navy: And whereas an Act was passed in the Session

22 Vict. c. 28.

of Parliament holden in the Twenty-second Year of Queen *Victoria*, Chapter Twenty-eight, for continuing for the Space of Ten Years, and thence to the End of the then next Session of Parliament, the Act of the Session of the Eleventh and Twelfth of Queen *Victoria*, Chapter Fifty-eight, for the Regulation of the Annuities and Premiums of the said Society: And whereas it is expedient that the said Society should be brought to an End, and the Affairs thereof wound up, and Provision made for satisfying the just Demands of Persons having Claims upon the Funds of the said Society:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title. **1.** This Act may be cited for any Purpose as "The Naval Medical Supplemental Fund Society Winding-up Act, 1861."

2. The

The Admiralty to superintend the winding up of the Society, and may appoint Persons to carry Act into execution.

2. The Lord High Admiral, or, as the Case may be, the First Lord Commissioner of the Admiralty Board and the Secretary of the Admiralty respectively for the Time being, shall undertake the general Supervision of the winding up of the said Society, and may appoint, at such Remuneration as they shall think fit, not less than Three Persons as Trustees, One of such Persons to be chosen by a Majority of the Officers who have effected Insurances with the said Society which are now in force, and of the Annuitants who may either in Person or by Proxy attend at the Meeting to be convened for that Purpose, the Time, Place, and Object of which Meeting shall be advertised in Two of the Daily Newspapers published in *London*, and the Person so appointed, together with the present Trustees of the said Society, if such Trustees shall be willing to act, shall carry this Act into execution; and on the Death or Resignation of any Person appointed to carry this Act into execution, other than the Person chosen by such insuring Officers and Annuitants as aforesaid, the Lord High Admiral or the First Lord Commissioner of the Admiralty Board and the Secretary of the Admiralty may from Time to Time appoint another Person to act in his Place; and in the event of the Death or Resignation of any Person so chosen as aforesaid, the Majority of such insuring Officers and Annuitants who may attend any Meeting to be convened and advertised as aforesaid may from Time to Time appoint another Person to act in his Place: Provided always, that if at any Time there should not be any Person chosen or appointed by the said insuring Officers and Annuitants, the other Persons hereby authorized to carry this Act into execution shall have full Power to act as if there were a Person chosen or appointed by the said insuring Officers and Annuitants.

Present Trustees of Society to act, but Vacancies not to be filled up.

3. The present Trustees of the said Society shall continue to have and exercise such of the same Powers and Authorities now vested in or exercisable by them as are not inconsistent with the Provisions of this Act, but on the Death or Resignation of any of the said Trustees the Vacancy caused thereby shall not be filled up.

Persons now employed may be dismissed, &c.

4. The Persons hereby authorized to carry this Act into execution may continue in or dismiss from their Employment all or any of the Persons now employed in the Business of the said Society, and may, with the Consent of the Persons having such general Supervision as aforesaid, appoint any Officers or Servants to assist in the Administration of the General Fund herein-after mentioned, at such Salary or Remuneration as such last-mentioned Persons shall approve of.

One General Fund to be formed.

5. All the Property of or belonging to the said Society, and the Income thereof, and all Monies arising from Contributions or otherwise accruing to the Funds of the said Society, except the Compassionate Fund, shall form One General Fund for the Purpose of meeting the various Expenses hereby authorized; and all Persons whosoever having any Funds or Property of or belonging to the said Society, except as regards the Compassionate Fund, shall render such Account thereof, and pay over or apply the same,

same, as the Persons hereby authorized to carry this Act into execution shall from Time to Time require or direct.

Salaries, &c. to be paid out of General Fund.

6. All Salaries, Remunerations, and Wages payable to any Persons employed in the Execution of this Act or in the Administration of the said General Fund, and all Expenses incurred in respect thereof, shall be defrayed out of the said General Fund, and all Disbursements on account of the said Fund shall be made through the Hands of the Officers appointed for that Purpose, and shall not be made by any Person or in any other Manner.

No new Contributors to the Fund allowed.

7. No Person who has not contributed to the Funds of the said Society as an insured Member before the passing of this Act shall be allowed to contribute thereto, so as to establish any Claim for an Annuity for his Widow, nor shall any Medical Officer in the Royal Navy be compelled or be liable after the passing of this Act to pay to the Compassionate Fund on Entry, Promotion, or Appointment to any permanent Civil Situation the Fee mentioned in the said Order in Council, but the Compassionate Fund referred to in the said Order in Council shall continue, and the Interest thereof shall be distributed among the Orphans of those Members of the said Society who have died, and the Orphans of those Naval Medical Officers who have hitherto contributed or may hereafter voluntarily contribute any such Fee to the said Fund.

Annuities may be purchased out of the Fund.

8. The Persons hereby authorized to carry this Act into execution may, with the Approbation in Writing of the said Lord High Admiral, or, as the Case may be, the said First Lord Commissioner of the Admiralty Board and the Secretary of the Admiralty respectively for the Time being, with and out of the said General Fund herein-before mentioned, purchase from Time to Time of and from the Commissioners for the Reduction of the National Debt any Life Annuities of not less than Twenty-six Pounds Thirteen Shillings and Fourpence each as may be payable out of the Funds of the said Society, being the same Amount of Annuity now legally payable to the respective Persons entitled thereto, and after providing for all such Annuities as aforesaid may, with such Approbation as aforesaid, when and so soon as the said General Fund shall be sufficient for the Purpose, apply the same in the Purchase of and from the said Commissioners, or any Life Assurance Company in *London* or *Westminster* which may have been established for Twenty-five Years or upwards, such and so many reversionary Life Annuities as would or might have become payable if this Act had not been passed.

Annuities to be purchased in Names of Persons entitled, &c.

9. Every Life Annuity hereby authorized to be purchased shall be purchased in the Name of the Person entitled thereto, and shall be her sole and absolute Property, and all Acts done for the Purpose of charging, Alienation, or otherwise disposing of the whole or any Part of the said Annuity, shall be absolutely null and void.

Annuities, until purchased, to be payable out of General Fund, and

10. Such and so many of the said Annuities as for the Time being shall not have been purchased under the Authority of this Act shall continue payable and be paid out of the General Fund herein-before mentioned; and all Persons who at the Time of the passing

passing of this Act may be liable to pay any Contribution to the said Naval Medical Supplemental Fund shall continue liable to and shall make such Payments, except to the Compassionate Fund, until all the said Annuities, immediate or reversionary, shall have been purchased, but any Person who has before the passing of this Act contracted for a reversionary Annuity shall continue to make all such Payments as he would have been liable to if this Act had not been passed. Contributions to continue payable, &c.

11. When and so soon as the Purposes of this Act shall have been fully carried into execution, Notice thereof, under the Hands of the said Lord High Admiral, or, as the Case may be, the First Lord Commissioner of the Admiralty Board and the Secretary of the Admiralty for the Time being respectively, shall be published in the *London Gazette*, and thereupon the said Order in Council of the Thirteenth Day of *August* One thousand eight hundred and seventeen, so far as relates to Annuities, shall cease to operate and take effect, and the said Act of the Twenty-second of Queen *Victoria*, Chapter Twenty-eight, shall be repealed. When Act fully carried out, Notice to be inserted in Gazette, and Order in Council and 22 Vict. c. 28. to cease.

C A P. CIX.

An Act to amend the Laws relating to Fisheries of Salmon in *England*. [6th *August* 1861.]

'WHEREAS the Salmon Fisheries of *England* have of late 'Years been greatly injured, and for the Purpose of in- 'creasing the Supply of Salmon it is expedient to amend the 'Laws relating to Fisheries of Salmon in *England*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Preliminary.

1. This Act may be cited for all Purposes as the Salmon Fishery Act, 1861. Short Title.

2. This Act shall not extend to *Scotland* or *Ireland*, or to the River *Tweed*, as defined by the *Tweed* Fisheries Amendment Act, 1859. Application of Act.

3. This Act shall not come into operation until the First Day of *October* One thousand eight hundred and sixty-one. Commencement of Act.

4. In this Act, unless there is something inconsistent in the Context, the Words and Expressions herein-after mentioned shall have respectively the Meanings hereby assigned to them; that is to say, Definition of Terms.

"Person" shall include any Body of Persons, corporate or unincorporate :

"Salmon" shall include all migratory Fish of the Genus Salmon, whether known by the Names herein-after mentioned, that is to say, Salmon, Cock or Kipper, Kelt, Laurel, Girling, Grilse, Botcher, Blue Cock, Blue Pole, Fork Tail, Mort, Peal, Herring Peal, May Peal, Pugg Peal, Harvest Cock, Sea Trout, White Trout, Sewin, Buntling, Guinead, Tub,

Tub, Yellow Fin, Sprod, Herling, Whiting, Bull Trout, Whitling, Scurf, Burn Tail, Fry, Samlet, Smoult, Smelt, Skirling or Scarling, Parr, Spawn, Pink, Last Spring, Hepper, Last Brood, Gravelling, Shed, Scad, Blue Fin, Black Tip, Fingerling, Brandling, Brondling, or by any other local Name:

"Young of Salmon" shall include all Young of the Salmon Species, whether known by the Names of Fry, Samlet, Smolt, Smelt, Skirling or Skarling, Par, Spawn, Pink, Last Spring, Hepper, Last Brood, Gravelling, Shed, Scad, Blue Fin, Black Tip, Fingerling, Brandling, Brondling, or by any other Name, local or otherwise:

"Court" shall include Two or more Magistrates assembled in Petty Sessions:

"Tidal Waters" shall include the Sea, and all Rivers, Creeks, Streams, and other Water as far as the Tide flows and reflows:

"Inland Waters" shall mean all Waters that are not tidal Waters:

"Dam" shall mean all Weirs and other fixed Obstructions used for the Purpose of damming up Water:

"Fishing Weir" shall mean a Dam used for the exclusive Purpose of catching or facilitating the catching of Fish:

"Fishing Mill Dam" shall mean a Dam used or intended to be used partly for the Purpose of catching or facilitating the catching of Fish, and partly for the Purpose of supplying Water for Milling or other Purposes:

"Fixed Engine" shall include Stake Nets, Bag Nets, Putts, Putchers, and all fixed Implements or Engines for catching or for facilitating the catching of Fish:

"Home Office" shall mean One of Her Majesty's Principal Secretaries of State.

Law of Fishing.

Prohibition of certain Modes of destroying Fish.

Penalty on mixing poisonous Substances in rivers.

5. Every Person who causes or knowingly permits to flow, or puts or knowingly permits to be put, into any Waters containing Salmon, or into any Tributaries thereof, any liquid or solid Matter to such an Extent as to cause the Waters to poison or kill Fish, shall incur the following Penalties; (that is to say,)

(1.) Upon the First Conviction a Penalty not exceeding Five Pounds:

(2.) Upon the Second Conviction a Penalty not exceeding Ten Pounds, and a further Penalty not exceeding Two Pounds for every Day during which such Offence is continued:

(3.) Upon the Third or any subsequent Conviction, a Penalty not exceeding Twenty Pounds a Day for every Day during which such Offence is continued, commencing from the Date of the Third Conviction:

But no Person shall be subject to the foregoing Penalties for any Act done in the Exercise of any Right to which he is by Law entitled.

entitled, if he prove to the Satisfaction of the Court before whom he is tried that he has used the best practicable Means, within a reasonable Cost, to render harmless the liquid or solid Matter so permitted to flow or to be put into Waters; but nothing herein contained shall prevent any Person from acquiring a legal Right in Cases where he would have acquired it if this Act had not passed, or exempt any Person from any Punishment to which he would otherwise be subject, or legalize any Act or Default that would but for this Act be deemed to be a Nuisance or otherwise be contrary to Law.

Power to have Question under preceding Section decided by Jury.

6. Where any Proceedings are instituted by any Complainant against any Person for the Recovery of any Penalties alleged to have been incurred by him under the last preceding Section, if such Person, herein-after referred to as "the Defendant," on appearing before the Justices constituting the Court by which he is to be tried in pursuance of this Act, alleges, by way of Defence, that he has used the best practicable Means, within a reasonable Cost, to render such Matter harmless, and proves to the Satisfaction of the Court that in the event of the Complaint being decided against him the Expense of permanently preventing the Matter complained of would, exclusive of Costs, exceed One hundred Pounds, and gives Security, to be approved by such Court, duly to prosecute his Appeal and to abide the Event thereof, all Proceedings before the Justices shall be stayed, and it shall be lawful for such Complainant to bring an Action in One of Her Majesty's Superior Courts of Law at *Westminster* against the Defendant; and the Plaintiff in such Action shall deliver to the Defendant an Issue or Issues whereby the Question whether he has used the best practicable Means, within a reasonable Cost, to render such Matter harmless may be tried; and the Form of such Issue or Issues, in case of Dispute, or in the Case of Non-appearance of the Defendant, shall be settled by the Court in which the Action is brought, and such Action shall be prosecuted and Issue or Issues tried in the same Manner and subject to the same Incidents in and subject to which Actions are prosecuted and Issues tried in other Cases within the Jurisdiction of such Court, or as near thereto as Circumstances admit.

Effect of Issue.

7. The Verdict of the Jury on such Issue shall, unless the Court before which the same is tried orders a new Trial, be conclusive as to the Questions involved in any subsequent Proceedings that may be had for the Recovery of any Penalties in pursuance of the said Section, and any Costs that may have been incurred before the Justices by the Parties to such Action as is mentioned in this Section shall be deemed to be Costs incurred in such Action, and be payable accordingly.

Penalty on fishing with Lights, Spears, &c.

8. No Person shall do the following Things or any of them; that is to say,

(1.) Use any Light for the Purpose of catching Salmon:

(2.) Use any Spear, Gaff, Strokehall, Snatch, or other like Instrument for catching Salmon:

(3.) Have

(3.) Have in his Possession a Light or any of the foregoing Instruments under such Circumstances as to satisfy the Court before whom he is tried that he intended at the Time to catch Salmon by means thereof:

And any Person acting in contravention of this Section shall incur a Penalty not exceeding Five Pounds, and shall forfeit any Instruments used by him or found in his Possession in contravention of this Section; but this Section shall not apply to any Person using a Gaff as auxiliary to angling with a Rod and Line.

Penalty on using Roe as a Bait.

9. No Person shall do the following Things or any of them; that is to say,

(1.) Use any Fish Roe for the Purpose of fishing:

(2.) Buy, sell, or expose for Sale, or have in his Possession, any Salmon Roe:

And any Person acting in contravention of this Section shall for each Offence incur a Penalty not exceeding Two Pounds, and shall forfeit all Salmon Roe found in his Possession; but this Section shall not apply to any Person who uses or has in his Possession Salmon Roe for artificial Propagation or other scientific Purposes, or gives any Reason satisfactory to the Court by whom he is tried for having the same in his Possession.

Penalty on using certain Nets.

10. No Person shall take or attempt to take Salmon with any Net having a Mesh of less Dimensions than Two Inches in extension from Knot to Knot (the Measurement to be made on each Side of the Square), or Eight Inches measured round each Mesh when wet; and any Person acting in contravention of this Section shall forfeit all Nets and Tackle used by him in so doing, and shall for each Offence incur a Penalty not exceeding Five Pounds; and the placing Two or more Nets behind or near to each other in such Manner as to practically diminish the Mesh of the Nets used, or the covering the Nets used with Canvas, or the using any other Artifice so as to evade the Provisions of this Section with respect to the Mesh of Nets, shall be deemed to be an Act in contravention of this Section.

Penalty on placing or fixing fixed Engines.

11. No fixed Engine of any Description shall be placed or used for catching Salmon in any inland or tidal Waters; and any Engine placed or used in contravention of this Section may be taken possession of or destroyed; and any Engine so placed or used, and any Salmon taken by such Engine, shall be forfeited, and, in addition thereto, the Owner of any Engine placed or used in contravention of this Section shall, for each Day of so placing or using the same, incur a Penalty not exceeding Ten Pounds; and for the Purposes of this Section a Net that is secured by Anchors, or otherwise temporarily fixed to the Soil, shall be deemed to be a fixed Engine, but this Section shall not affect any ancient Right or Mode of Fishing as lawfully exercised at the Time of the passing of this Act by any Person by virtue of any Grant or Charter or immemorial Usage; provided always, that nothing in this Section contained shall be deemed to apply to Fishing Weirs or Fishing Mill Dams.

13. The

12. The following Regulations shall be observed with respect to Dams: Penalty on using certain Dams for catching Salmon.

(1.) No Dam except such Fishing Weirs and Fishing Mill Dams as are lawfully in use at the Time of the passing of this Act, by virtue of a Grant or Charter or immemorial Usage, shall be used for the Purpose of catching or facilitating the catching of Salmon:

1. Any Person catching or attempting to catch Salmon in contravention of this Section shall incur a Penalty not exceeding Five Pounds for each Offence, and a further Penalty not exceeding One Pound for each Salmon which he catches:
2. All Traps, Nets, and Contrivances used in or in connexion with the Dam for the Purpose of catching Salmon shall be forfeited:
3. All Salmon caught in contravention of the above Prohibition shall be forfeited:

And no Fishing Weir, although lawfully in use as aforesaid, shall be used for the Purposes of catching Salmon unless it have therein such Free-Gap as is herein-after mentioned; and no Fishing Mill Dam, although lawfully in use as aforesaid, shall be used for the Purposes of catching Salmon unless it have attached thereto a Fish Pass of such Form and Dimensions as shall be approved of by the Home Office, nor unless such Fish Pass has constantly running through it such a Flow of Water as will enable Salmon to pass up and down such Pass, but so nevertheless that such Pass shall not be larger nor deeper than requisite for the above Purposes:

(2.) No Person shall catch or attempt to catch, except by Rod and Line, any Salmon in the Head Race or Tail Race of any Mill, or within Fifty Yards below any Dam, unless such Mill or Dam has attached thereto a Fish Pass of such Form and Dimensions as may be approved by the Home Office, and such Fish Pass has constantly running through it such a Flow of Water as will enable Salmon to pass up and down it; and if any Person acts in contravention of the foregoing Provision,

1. He shall incur a Penalty not exceeding Two Pounds for each Offence, and a further Penalty not exceeding One Pound for every Salmon so caught:
2. He shall forfeit all Salmon caught in contravention of this Section, and all Nets or other Instruments used or placed for catching the same.

13. Where Salmon or the Young of Salmon are led aside out of a main Stream by means of any artificial Channel used for the Purpose of supplying Towns with Water, or for supplying any navigable Canal, the Company or Persons having the Control over such artificial Channel shall, within Six Months after the Commencement of this Act, put up and shall maintain, at their own Costs and Charges, a Grating or Gratings across such Channel, for the Purpose of preventing the Descent of the Salmon or the Young of Salmon, and such Grating or Gratings shall be placed Penalty on Company or Person not erecting Gratings to prevent the Descent of Salmon into Artificial Streams.

placed in such Form and Manner as may be approved by One of the Inspectors in this Act mentioned; and any Company or Persons failing to put a Grating or Gratings in Cases where they are required to do so by this Section shall incur a Penalty not exceeding Five Pounds for every Day after the Expiration of such Period of Six Months during which he fails to comply with the Provisions of this Section; and any such Company or Person failing so to maintain the same shall incur a Penalty not exceeding One Pound for every Day during which such Failure continues: Provided always, that no such Grating shall be so placed as to interfere with the Passage of Boats on any navigable Canal.

Prohibition of the Destruction of unseasonable Fish.

Penalty on taking unclean Fish.

14. No Person shall do any of the following Things; that is to say,

(1.) Wilfully take any unclean or unseasonable Salmon;

(2.) Buy, sell, or expose for Sale, or have in his Possession, any unclean or unseasonable Salmon, or any Part thereof:

And any Person acting in contravention of this Section shall incur the following Penalties; that is to say,

(1.) He shall forfeit any Fish taken, bought, sold, or exposed for Sale, or in his Possession;

(2.) He shall incur a Penalty not exceeding Five Pounds in respect of each Fish taken, sold, or exposed for Sale, or in his Possession:

But this Section shall not apply—

(1.) To any Person who takes such Fish accidentally, and forthwith returns the same to the Water with the least possible Injury:

(2.) To any Person who takes or is in possession of such Fish for artificial Propagation or other scientific Purposes.

Penalty on taking the Young of Salmon.

15. No Person shall do the following Things or any of them; that is to say,

(1.) Wilfully take or destroy the Young of Salmon;

(2.) Buy, sell, or expose for Sale, or have in his Possession, the Young of Salmon;

(3.) Place any Device for the Purpose of obstructing the Passage of the Young of Salmon;

(4.) Wilfully injure the Young of Salmon;

(5.) Wilfully disturb any Spawning Bed, or any Bank or Shallow on which the Spawn of Salmon may be:

And any Person acting in contravention of this Section shall incur the following Penalties; that is to say,

(1.) He shall forfeit all the Young of Salmon found in his Possession;

(2.) He shall forfeit all Rods, Lines, Nets, Devices, and Instruments used in committing any of the above Offences;

(3.) He shall for each Offence pay a Penalty not exceeding Five Pounds;

But nothing herein contained shall apply to any Person who may have obtained such Young of Salmon for artificial Propagation or other

other scientific Purposes, and nothing herein contained shall prejudice the legal Right of any Owner to take Materials from any Stream.

Penalty on disturbing Fish when spawning.

16. If any Person wilfully disturbs or attempts to catch Salmon when spawning, or when on or near their Spawning Beds, he shall for each Offence incur a Penalty not exceeding Five Pounds; but this Section shall not apply to any Person who may catch or attempt to catch Salmon for the Purposes of artificial Propagation or other scientific Purposes.

Restrictions as to Times of Fishing.

Close Time.

17. No Person shall fish for, catch, or attempt to catch, or kill Salmon between the Days hereinafter mentioned (which Interval is herein referred to as the Close Season); that is to say, between the First Day of *September* and the First Day of *February* following, both inclusive, except only that it shall be lawful to fish with a Rod and Line between the First Day of *September* and the First Day of *November* following, both inclusive; and any Person acting in contravention of this Section shall forfeit any Salmon caught by him, and shall in addition thereto incur a Penalty not exceeding Five Pounds, and a further Penalty not exceeding Two Pounds in respect of each Salmon so caught.

Power of Home Office to extend or vary Close Season.

18. The Home Office may, upon the Application of the Justices in Quarter Sessions assembled of any County abutting on Water containing Salmon, extend or vary the Time during which it is prohibited to take Salmon in such Waters; any such Application shall be forwarded to the Home Office by the Chairman of such Justices, but it shall not be entertained by the Home Office until due Proof is given that Notice of such Application has been served on the Clerk of the Peace of every County abutting on such River other than the County from the Justices of which the Application proceeds, and that a Copy of such Notice has been published in every County abutting on such River by Advertisement once at least in each of Four successive Weeks in some local Newspaper; the Extension of such Time as aforesaid by the Home Office shall be made by Order under the Hand of One of Her Majesty's Principal Secretaries of State, and a Copy of the *London Gazette* containing such Order shall be Evidence of the same having been made.

For the Purposes of this Section any Riding or other Division of a County having a separate Court of Quarter Sessions shall be deemed a separate County, and any Penalties imposed by this Act for the Purpose of prohibiting the killing of Fish during the Close Time shall apply to such extended Close Time; and the Home Office may from Time to Time vary the Close Time so extended.

Penalty on selling Fish during Close Time.

19. No Person shall buy, sell, or expose for Sale, or have in his Possession for Sale, any Salmon between the Third Day of *September* and the Second Day of *February* following; and any Person acting in contravention of this Act shall forfeit any Fish so bought, sold, or exposed for Sale, or in his Possession for Sale,

and shall incur a Penalty not exceeding Two Pounds for each such Fish; but this Section shall not apply to any Person buying, selling, or exposing for Sale, or having in his Possession for Sale, Salmon cured, pickled, or dried, or any fresh Salmon caught beyond the Limits of this Act, nevertheless the Burden of proving any fresh Salmon that is sold, or exposed, or in the Possession of any Person for Sale between the said Third Day of *September* and the said Second Day of *February* to have been caught beyond the Limits of this Act shall lie on the Person selling or exposing the same for Sale, or having the same in his Possession for Sale.

Removal of fixed Engines during Close Time.

20. The Proprietor or Occupier of every Fishery for Salmon shall, within Thirty-six Hours after the Commencement of the Close Season, cause to be removed and carried away from the Waters within his Fishery the Inscales, Hecks, Tops, and Rails of all Cruives, Boxes, or Cribs, and all Planks and temporary Fixtures used for taking or killing Salmon, and all other Obstructions to the free Passage of Fish in or through the Cruives, Cribs, and Boxes within his Fishery; and if any Proprietor or Occupier omits to remove and carry away in manner aforesaid any Things hereby required to be removed and carried away he shall incur the following Penalties; (that is to say,)

(1.) He shall forfeit all the Engines or other Things that are not removed and carried away in compliance with this Section:

(2.) He shall, for every Day during which he suffers such Things to remain unremoved beyond the Period prescribed by this Act, pay a Sum not exceeding Ten Pounds.

Weekly Close Time.

21. No Person shall fish for, catch, or kill by any Means other than a Rod and Line, any Salmon between the Hour of Twelve of the Clock at Noon on *Saturday* and the Hour of Six of the Clock on *Monday* Morning; and any Person acting in contravention of this Section shall forfeit all Fish taken by him, and any Net or moveable Instrument used by him in taking the same, and in addition thereto shall incur a Penalty not exceeding Five Pounds, and a further Penalty not exceeding One Pound in respect of each Fish so taken between Twelve of the Clock at Noon on *Saturday* and Six of the Clock on *Monday* Morning; but nothing in this Section contained shall compel the Owner of any Putts or Putchers to remove or draw up the same during such Time as is mentioned in this Section, or subject him to a Penalty, so that he lets down a Net in such Manner or uses such other Device as the Home Office approves for the Purpose of preventing Salmon passing into the Putts or Putchers during such Time as aforesaid.

A free Passage to be left through Cribs or Traps during Weekly Close Time.

22. The Proprietor or Occupier of every Fishery shall, between Twelve of the Clock at Noon on *Saturday* and Six of the Clock on the *Monday* Morning following, maintain a clear Opening, of not less than Four Feet in Width from the Bottom to the Top, through all Cribs, Boxes, or Cruives used for taking Salmon within his Fishery, so that a free Space of that Width is effectually secured for the Passage of Fish up and down through each Box, Crib, or Cruive, whether used for the Purpose of fishing

or

or not; and shall, for the Purpose of maintaining such Opening, remove the Inscales and Rails of all such Boxes, Cribs, or Cruives; and any Person acting in contravention of this Section shall incur the following Penalties:

(1.) He shall for each Offence pay a Sum not exceeding Five Pounds, and a further Penalty not exceeding One Pound for each Fish so taken:

(2.) He shall forfeit every Fish caught in contravention of this Section.

Fish Passes.

Proprietor with Consent of Home Office may attach Fish Passes to existing Dams.

23. Any Proprietor of a Fishery with the written Consent of the Home Office may attach to every Dam existing at the Time of the passing of this Act a Fish Pass, of such Form and Dimensions as the Home Office may approve, so that no Injury be done to the Milling Power or to the Supply of Water to or of any navigable River, Canal, or other Inland Navigation by such Fish Pass; and any Person obstructing any Person legally authorized in erecting or doing any necessary Act to erect or maintain such Fish Pass shall incur a Penalty not exceeding Ten Pounds for each Act of Obstruction; and any Person injuring such Fish Pass shall pay the Expense of repairing the Injury, such Expense to be recovered in a summary Manner, and, in addition thereto, if such Injury is wilful, shall incur a Penalty not exceeding Five Pounds; and any Person doing any Act for the Purpose of preventing Salmon from passing through a Fish Pass, or taking any Salmon in its Passage through the same, shall incur a Penalty not exceeding Five Pounds for a First Offence, and not exceeding Ten Pounds for each subsequent Offence, and shall forfeit any Salmon taken by him in contravention of this Section, and any Instrument used by him in taking the same: Provided that if any Injury is done to any Dam by reason of the affixing of a Fish Pass in pursuance of this Section, any Person sustaining any Loss thereby may recover Compensation for such Injury in a summary Manner from the Person or Body of Persons by whom such Fish Pass has been affixed.

Notice required before Home Office gives Consent.

24. The Home Office shall not give their Consent to the Attachment by a Proprietor of a Fish Pass to any Dam, in pursuance of the last preceding Section, unless such Proprietor proves, to the Satisfaction of the Home Office, that he has served Notice on the Owner of such Dam of his Intention to apply for such Consent, and at the same Time has furnished him with Plan and Specification of the Fish Pass which he proposes to erect, a reasonable Time before his Application; and it shall be lawful for such Owner to urge any Objections he may think fit to the Home Office against their giving their Consent, and the Home Office shall take any Objections so made into consideration before they give their Consent to the Attachment of the Fish Pass.

Fish Passes to be attached to future Dams.

25. Every Person who, after the passing of this Act, in Waters where Salmon are found, constructs a new Dam, or raises or alters, so as to create increased Obstruction to Fish, a Dam already constructed, shall attach and maintain attached thereto

in an efficient State a Fish Pass of such Form and Dimensions as may be determined by the Home Office, and if he do not, such Person shall incur a Penalty not exceeding Five Pounds; and it shall be lawful for the Home Office to cause to be done any Work by this Section required to be done by such Person, and to recover the Expense of doing the same in a summary Manner from the Person in default; but this Section shall not authorize anything to be done which may injuriously affect any navigable River, Canal, or Inland Navigation, nor shall anything in this or the last preceding Section prevent any Person from removing a Fish Pass for the Purpose of repairing or altering a Dam, so that within a reasonable Time he restore such Fish Pass in as an efficient a State as it was before he removed the same.

Supply of Water to Fish Passes.

26. Where a Fish Pass is attached to any Dam in pursuance of this Act, the Sluices, if any, for drawing off the Water which would otherwise flow over the Dam shall be kept shut at all Times when the Water is not required for Milling Purposes in such Manner as to cause such Water to flow through the Fish Pass; and any Person making Default in complying with the Requisitions of this Section shall incur a Penalty not exceeding Five Shillings *per* Hour for every Hour during which such Default continues; but this Section shall not preclude any Person from opening a Sluice for the Purpose of letting off Water in Cases of Flood, or for Milling Purposes, or when necessary for the Purposes of Navigation, or for cleaning or repairing any Dam or Mill or the Appurtenances thereof.

Restrictions as to Fishing Weirs.

Construction of Free Gaps.

27. Where any Fishing Weir extends more than halfway across any Stream at its lowest State of Water, it shall have a Free Gap or Opening in accordance with the Regulations following, unless otherwise authorized by the Home Office, under the Powers of this Act; that is to say,

(1.) The Free Gap shall be situate in the deepest Part of the Stream between the Points where it is intercepted by the Weir:

(2.) The Sides of the Gap shall be in a Line with and parallel to the Direction of the Stream at the Weir:

(3.) The Bottom of the Gap shall be level with the natural Bed of the Stream above and below the Gap:

(4.) The Width of the Gap in its narrowest Part shall be not less than One Tenth Part of the Width of the Stream; provided always, that such Gap shall not be required to be wider than Forty Feet, and shall not in any Case be narrower than Three Feet.

Enforcing Free Gaps in Fishing Weirs.

28. The following Rules shall be observed for the Purpose of enforcing efficient Free Gaps in Fishing Weirs; that is to say,

(1.) Where a Weir is without a legal Free Gap at the Time of the Commencement of this Act the Owner of such Weir shall within Twelve Months after the Commencement of this Act make such a Gap, and if he does not he shall incur a Penalty not exceeding Five Pounds for every

every Day after the Expiration of such Period of Twelve Months during which he does not make such Gap:

(2.) Where a Free Gap has been made in a Weir, but the same is not maintained in accordance with this Act, the Owner of such Weir shall incur a Penalty not exceeding One Pound a Day for each Day he is in default:

(3.) No Alteration shall be made in the Bed of any River in such Manner as to reduce the Flow of Water through a Free Gap; if it is, the Person making the same shall incur a Penalty not exceeding Five Pounds, and a further Penalty of One Pound a Day until he restores the Bed of the River to its original State:

(4.) No Person shall place any Obstruction, use any Contrivance, or do any Act whereby Fish may be scared, deterred, or in any way prevented from freely entering and passing up and down a Free Gap at all Periods of the Year; and any Person placing any Obstruction, using any Contrivance, or doing any Act in contravention of the Regulation lastly herein-before contained shall incur a Penalty not exceeding Five Pounds for the First Offence, and not exceeding Ten Pounds for each subsequent Offence; but this last Regulation shall not apply to a temporary Bridge or Board used for crossing the Free Gap, and taken away immediately when a Person has crossed the same:

Construction of Boxes and Cribs in Fishing Weirs and Fishing Mill Dams.

29. The following Rules shall be observed in relation to the Construction of Boxes and Cribs in Fishing Weirs and Fishing Mill Dams; that is to say,

(1.) The Upper Surface of the Sill shall be level with the Bed of the River:

(2.) The Bars or Inscales of the Heck or Upstream Side of the Box or Crib shall not be nearer each other than Two Inches, and shall be capable of being removed and shall be placed perpendicularly:

And the Owner of any Fishing Weir or Fishing Mill Dam that has attached thereto any Box or Crib in contravention of this Act shall bring the same into conformity with this Act within Six Months after the Commencement of this Act; and he shall incur a Penalty not exceeding Five Pounds for every Day after the Expiration of such Period of Six Months during which he fails to comply with the Provisions of this Section; and any Owner failing so to maintain the same shall incur a Penalty not exceeding One Pound for every Day during which such Failure continues.

Construction of Spur Walls in Fishing Weirs or Fishing Mill Dams.

30. There shall not be attached to any Box or Crib in any Fishing Weir or Fishing Mill Dam any Spur or Tail Wall, Leader, or Outrigger of a greater Length than Twenty Feet from the upper or lower Side of such Box or Crib; and if any Box or Crib in any Fishing Weir or Fishing Mill Dam has any Walls, Leaders, or Outriggers in contravention of this Section, the Owner of the Weir or Fishing Mill Dam shall incur a Penalty not exceeding One Pound for every Day during the Continuance thereof.

CENTRAL AUTHORITY.

General Superintendence of Fisheries by Home Office.

31. The general Superintendence of the Salmon Fisheries throughout *England* shall be vested in the Home Office, and it shall be lawful for the Home Office to appoint Two Inspectors of Fisheries for Three Years, to assign to them their Duties, and to pay to them such Salaries as may from Time to Time be determined by the Commissioners of Her Majesty's Treasury.

The Home Office may from Time to Time remove the said Inspectors, and appoint other Persons in their Stead.

Reports of Inspectors to be laid before Parliament.

32. The Home Office shall annually lay before Parliament Reports from the Inspectors, which Reports shall contain as far as may be practicable a Statistical Account of the Fisheries, with such other Information as may be collected, and Suggestions offered for their Regulation and Improvement.

Justices to appoint Conservators of Rivers.

33. It shall be lawful for the Justices of the Peace assembled at any General or Quarter Sessions of the Peace from Time to Time to appoint Conservators or Overseers for the Preservation of Salmon, and enforcing for that Purpose the Provisions of this Act within the Limits of the Jurisdiction of such Justices.

Justice may grant a Warrant to enter suspected Places.

34. It shall be lawful for any Justice of the Peace, upon an Information on Oath that there is probable Cause to suspect any Breach of the Provisions of this Act to have been committed on any Premises, or any Salmon illegally taken or any illegal Nets or other Engines to be concealed on any Premises, by Warrant under his Hand and Seal, to authorize and empower any Inspector, Water Bailiff, Conservator, Constable, or Police Officer to enter such Premises for the Purposes of detecting such Offence, or such concealed Fish, at such Time or Times, in the Day or Night, as in such Warrant may be mentioned, and to seize all illegal Engines, or any Salmon illegally taken, that may be found on such Premises; provided that no such Warrant shall continue in force for more than One Week from the Date thereof.

LEGAL PROCEEDINGS.

Recovery of Penalties.

35. All Penalties imposed by this Act, and all Costs or Expenses by this Act directed to be recovered in a summary Manner, may be recovered, within Six Months after the Commission of the Offence, before Two Justices, in manner directed by an Act passed in the Eleventh and Twelfth Years of the Reign of Her present Majesty Queen *Victoria*, Chapter Forty-three, intituled *An Act to facilitate the Performance of the Duties of the Justices of the Peace out of Sessions within* England *and* Wales *with respect to Summary Convictions and Orders*, or of any Act amending the same; and all Monies received in respect of Penalties recovered under the Act shall be paid as follows; that is to say,

Such Portion not exceeding One Half, as the Court may think fit, to the Person on whose Complaint the Penalty is recovered, and the Remainder in manner directed by the said Act of Eleventh and Twelfth Years of the Reign of Her present Majesty *Victoria*, Chapter Forty-three; and all Forfeitures shall be disposed of as the Court may direct, and the

the Proceeds, if any, shall be applied in manner in which the Monies received in respect of Penalties are hereby directed to be applied.

Where Offences on Rivers may be tried.

36. Where any Offence under this Act is committed in or upon any Waters forming the Boundary between any Two Counties, Districts of Quarter Sessions or Petty Sessions, such Offence may be prosecuted before any Justice or Justices of the Peace in either of such Counties or Districts.

Offences committed on Sea Coast where to be tried.

37. Any Offence committed under this Act, on the Sea Coast or at Sea, beyond the ordinary Jurisdiction of any Justice of the Peace, shall be deemed to have been committed within the Body of any County abutting on such Sea Coast or adjoining such Sea, and may be tried and punished accordingly.

Saving Clause for dredging.

38. Nothing in this Act contained shall prejudice the legal Right of any Conservators, Directors, Commissioners, Undertakers, Persons, or Body of Persons corporate or unincorporate to dredge, scour, cleanse, or improve any navigable River, Canal, or other Inland Navigation.

Repeal of Acts.

Repeal of Acts.

39. From and after the Commencement of this Act there shall be hereby repealed the several Acts and Parts of Acts set forth in the Schedule hereto, to the Extent to which such Acts or Parts of Acts are therein expressed to be repealed: Provided that such Repeal shall not affect—

1. Any Security duly given before this Act comes into operation:
2. Anything duly done before this Act comes into operation:
3. Any Liability accruing before this Act comes into operation:
4. Any Penalty, Forfeiture, or other Punishment incurred or to be incurred in respect of any Offence committed before this Act comes into operation:
5. The Institution of any legal Proceeding or any other Remedy for ascertaining, enforcing, or recovering any such Liability, Penalty, Forfeiture, or Punishment as aforesaid.

SCHEDULE.

Reference to Act.	Title of Act.	Extent of Repeal.
13 Ed. 1. Stat. 1. c. 47.	A Penalty for taking of Salmon at certain Times of the Year.	The whole Act.
25 Ed. 3. Stat. 4. c. 4.	"New Weirs shall be pulled down and "not repaired."	The whole Act.
45 Ed. 3. c. 2. -	The Penalty of him that setteth up or enhanceth Wares.	The whole Act.
13 Rich. 2. Stat. 1. c. 19.	A Confirmation of Stat. 13 Ed. 1. Stat. 1. c. 47.	The whole Act.
17 Rich. 2. c. 9. -	Justices of Peace shall be Conservators of the Statutes made touching Salmon.	The whole Act.

Salmon Fisheries.

Reference to Act.	Title of Act.	Extent of Repeal.
1 Hen. 4. c. 12. -	A Confirmation of former Statutes touching pulling down of Weare.	The whole Act.
4 Hen. 4. c. 11. -	Commissions shall be awarded to Justices, &c. to inquire of Weare and Kidels, &c.	The whole Act.
2 Hen. 6. c. 15. -	No Man shall fasten Nets to anything over Rivers.	The whole Act.
12 Ed. 4. c. 7. -	An Act for the taking away Weare and Fishgarthes.	The whole Act.
11 Hen. 7. c. 5. -	Every Man may pull down the Weare and Engines in the Haven of Southampton, &c.	The whole Act.
14 & 15 Hen. 8. c. 13.	A Confirmation of the Statute 11 Hen. 7. c. 5., and the same made perpetual.	The whole Act.
23 Hen. 8. c. 18. -	For pulling down Piles and Fishgarths in the Rivers Ouse and Humber.	The whole Act.
1 Eliz. c. 17. - -	An Act for the Preservation of Spawn and Fry of Fish.	In so far as it relates to Salmon.
3 Car. 1. c. 4. -	An Act for Continuance and Repeal of divers Statutes.	The First Section of the Act.
3 Jas. 1. c. 12. -	An Act for the better Preservation of Sea Fish.	The whole Act.
30 Car. 2. c. 9. -	An Act for the better Preservation of Fishing in the River of Severn.	The whole Act.
4 Ann. c. 21. - -	An Act for the Increase and better Preservation of Salmon and other Fish in the Rivers within the Counties of Southampton and Wiltshire.	The whole Act.
9 Ann. c. 26. - -	An Act for the better Preservation and Improvement of Fishery within the River of Thames, and for regulating and governing the Company of Fishermen of the said River.	The Second Section of the Act.
1 Geo. 1. Stat. 2. c. 18.	An Act for the better preventing Fresh Fish taken by Foreigners being imported into this Kingdom, and for the Preservation of the Fry of Fish, and for the giving Leave to import Lobsters and Turbets in Foreign Bottoms, and for the better Preservation of Salmon within several Rivers in that Part of this Kingdom called England.	Sects. 11 to 16 inclusive.
23 Geo. 2. c. 26. -	An Act to continue several Laws for the better Regulation of Pilots for the conducting of Ships and Vessels from Dover, Deal, and Isle of Thanet up the River of Thames and Medway, and for permitting Rum or Spirits of the British Sugar Plantations to be landed before the Duties of Excise are paid thereon, and to continue and amend an Act for preventing Frauds on the Admeasurement of Coals within the City and Liberty of Westminster and several Parishes near thereunto, and to continue	Sects. 7, 8, & 9.

Salmon Fisheries.

Reference to Act.	Title of Act.	Extent of Repeal.
	several Laws for preventing Exactions of Occupiers of Locks and Wears upon the River Thames westward, and for ascertaining the Rates of Water Carriage upon the said River, and for the better Regulation and Government of Seamen in the Merchants Service; and also to amend so much of an Act made in the First Year of the Reign of King George the First as relates to the better Preservation of Salmon in the River Ribble, and to regulate Fees in Trials at Assizes and Nisi Prius upon Records issuing out of the Office of Pleas of the Court of Exchequer, and for the apprehending of Persons in any County or Place upon Warrant granted by Justices of the Peace in any other County or Place, and to repeal so much of an Act made in the 12th Year of the Reign of King Charles the Second as relates to the Time during which the Office of Excise is to be kept open each Day, and to appoint for how long Time the same shall be kept open upon each Day for the future, and to prevent the dealing or destroying of Turnips, and to amend an Act made in the Second Year of His present Majesty for better Regulation of Attorneys and Solicitors.	
33 Geo. 2. c. 27.	An Act to repeal so much of an Act passed in the Twenty-ninth Year of His present Majesty's Reign concerning a free Market for Fish at Westminster as requires Fishermen to enter their Fishing Vessels at the Office of the Searcher of the Customs at Gravesend, and to regulate the Sale of Fish at the First Hand in the Fish Markets in London and Westminster, and to prevent Salesmen of Fish buying Fish to sell again on their own Account, and to allow Biet and Turbot, Brill and Pear, although under the respective Dimensions mentioned in a former Act, to be imported and sold, and to punish any Persons who shall take or sell any Spawn, Brood, or Fry of Fish, unsizeable Fish, or Fish out of Season, or Smelts under the Size of Five Inches, and for other Purposes.	Sect. 13.
18 Geo. 3. c. 33.	An Act for the better Preservation of Fish, and regulating the Fisheries in the Rivers Severn and Verniew.	In so far as it relates to Salmon.

Salmon Fisheries.

Reference to Act.	Title of Act.	Extent of Repeal.
37 Geo. 3. c. 95. -	An Act to amend Two Acts made in the Fourth Year of the Reign of Queen Anne and the First Year of the Reign of King George the First, for the Preservation of Salmon and other Fish in the Rivers within the Counties of Southampton and Wilts.	In so far as it relates to Salmon.
58 Geo. 3. c. 43. -	An Act for preventing the Destruction of the Breed of Salmon and Fish of Salmon Kind in the Rivers of England.	The whole Act.
6 & 7 Vict. c. 33. -	An Act to repeal so much of an Act of the First Year of King George the First as limits the Time for taking and being restrained from taking Salmon in certain Rivers, and to amend and extend the Provisions of an Act of the Fifty-eighth Year of King George the Third to the Rivers therein mentioned.	The whole Act.
11 & 12 Vict. c. 52.	An Act to explain the Acts for preventing the Destruction of the Breed of Salmon and Fish of the Salmon Kind.	The whole Act.

Private Acts relating to Salmon Fisheries.

———	Rivers affected.	Extent of Repeal.
43 Geo. 3. c. 61. -	Teign, Dart, and Plym, Devon - -	The whole Act.
44 Geo. 3. c. 45. -	Rivers flowing into the Solway Firth -	The whole Act, except in so far as it relates to Scotland, and to Fish other than Salmon in England.
45 Geo. 3. c. 33. -	Carmarthenshire Rivers - - -	The whole Act.
46 Geo. 3. c. 19. -	Rivers running into Milford Harbour -	In so far as it relates to Salmon.
49 Geo. 3. c. 2. -	Lord Lonsdale's Fisheries in Derwent -	The whole Act.
5 & 6 Vict. c. 63. -	Tyne - - - - -	The whole Act.
21 & 22 Vict. c. 141.	Tees - - - - -	So much of Sects. 63 & 64 as relates to the making of Byelaws for the Regulation of Salmon Fisheries.

CAP. CX.

An Act for regulating the Business of Dealers in old Metals. [6th *August* 1861.]

'WHEREAS by the Four hundred and eightieth Section of 'the Merchant Shipping Act, 1854, certain Provisions 'were enacted for the Regulation of the Business of Persons 'dealing in, buying, and selling Anchors, Cables, Sails, or old 'Junk, old Iron or Marine Stores of any Description, and such 'Provisions have been found beneficial in diminishing the Fa- 'cilities for disposing of stolen Goods; and it is expedient that 'similar Provisions should be enacted for the Regulation of the 'Business of all Dealers in old Metals which afford Facilities 'for the disposing of stolen Goods:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The old Metal Dealers Act, 1861."

Commencement of Act.

2. This Act shall come into operation on the First Day of *January* One thousand eight hundred and sixty-two.

Definition of Terms.

3. In the Construction and for the Purposes of this Act the Term "Dealer in old Metals" shall mean any Person dealing in, buying, and selling old Metal, scrap Metal, broken Metal, or partly manufactured Metal Goods, or defaced or old Metal Goods, and whether such Person deals in such Articles only, or together with Second-hand Goods or Marine Stores, and the Term "old Metals" shall mean the said Articles.

Penalty on Dealer in old Metals being in possession of stolen Property.

4. It shall be lawful for any Justice of the Peace, upon Complaint made before him, upon Oath, that the Complainant has reason to believe and does believe that any old Metal stolen or unlawfully obtained is kept in any House, Shop, Room, or Place by any Dealer in old Metals within the Limits of the Jurisdiction of such Justice, to give Authority, by Special Warrant, to any Constable or Police Officer to enter, in the Daytime, such House, Shop, Room, or other Place, with such Assistance as may be necessary, and to search for and seize all such old Metals there found, and to carry all the Articles so seized before the Justice issuing the said Warrant, or some other Justice exercising similar Jurisdiction, and such Justice shall thereupon issue a Summons requiring such Dealer to appear before Two Justices, at a Time and Place to be named in such Summons, and if such Dealer shall not then and there prove to the Satisfaction of such Justices how he came by the said Articles, or if any such Dealer shall be found in possession of any old Metal which has been stolen or unlawfully obtained, and on his being taken or summoned before Two Justices it shall be proved to the Satisfaction of such Justices that at the Time when he received it he had reasonable Cause to believe it to have been stolen or unlawfully obtained, then in either of such Cases such Dealer shall be liable to a Penalty not exceeding Five Pounds, and for any subsequent Offence

Offence to a Penalty not exceeding Twenty Pounds, or at the Discretion of the Justices in the Case of such Second or subsequent Offence shall be imprisoned and kept to Hard Labour for any Period not exceeding Three Calendar Months: Provided always, that nothing herein contained shall interfere with or affect any Proceeding by Indictment to which such Dealer in old Metals may be liable for feloniously and knowingly receiving stolen Goods, but no Person shall be prosecuted by Indictment and proceeded against under this Act for the same Offence.

Justices may order Dealer to be registered.

5. When any Dealer in old Metals is convicted of either of the Offences aforesaid, it shall be lawful for such Justices, or, on Proof of such Conviction, for any other Two Justices of the same Petty Sessional District of a County, or City or Borough, on Proof of such Conviction, to order and direct that such Dealer shall be registered at the Principal Police Office of such District or City or Borough in a Book to be kept by the Chief Officer of Police for the Purpose, according to the Form No. 1. in the Schedule to this Act annexed, and from and after such Registration such Dealer shall be subject to and shall conform to the several Regulations herein-after provided, for such Period, not exceeding Three Years, as such Justices shall order; and if such Dealer shall during such Period be convicted of any Offence under this Act, the Justices so convicting him may order such Period to be extended for not more than Three Years from the Time when such Period would otherwise expire; and in like Manner, whilst such Dealer is subject to the Regulations of this Act, on any further Conviction under this Act, and as often as such further Conviction shall take place, the Justices so convicting him may order the Period for which he is then subject to such Regulations to be extended for not more than Three Years from the Time when such Period would otherwise expire: Provided always, that where any Dealer in old Metals who is also a Dealer in Marine Stores within the Meaning of the Four hundred and eightieth Section of the Merchant Shipping Act, 1854, is registered as aforesaid, he shall likewise conform to the Regulations contained in the said Section of the said Act, and shall be liable to the Penalties in the said Section provided for not conforming to such Regulations.

Dealer to give Notice of Change of Place of Business.

6. Every Dealer in old Metals who is subject to the Regulations of this Act as aforesaid, shall upon removing to any other Place of Business give Notice of such Removal at the Police Office where he is registered, and if he shall continue to carry on Business as a Dealer in old Metals without giving such Notice, he shall incur a Penalty not exceeding Five Pounds, and a Penalty not exceeding Ten Shillings for every Day after the first on which he continues to carry on such Business without giving such Notice; and where such Dealer shall remove to any Place out of the Petty Sessional District of a County or the City or Borough in which he has been registered, it shall be the Duty of the Superintendent of Police for such District, City, or Borough to transmit a Certificate of such Registration signed by himself, which shall be Evidence of such Registration, together with a certified

certified Copy of any Order of Justices, as to the Period for which such Dealer is to be subject to the Regulations of this Act, to the Clerk of the Justices for the District, City, or Borough in which such Dealer has taken up his Residence, and any of the Justices of such District, City, or Borough may thereupon issue a Summons to such Dealer to appear before Two Justices, and if it shall appear to such Justices that he intends carrying on Business as a Dealer in old Metals, such Justices may order him to be registered in the same Manner as provided in the Fifth Section of this Act, and such Registration shall have the same Effect, during the Period for which such Dealer is to be subject to the Regulations of this Act by any Order of Justices as aforesaid, as in the said Section provided.

Inspectors and Serjeants of Police to visit Places of Business of registered Dealers in old Metals.

7. It shall be lawful for Two Justices by Order in Writing to authorize One or more Inspectors or Serjeants of Police to visit at any Time the Places of Business and inspect the Goods and Books of Dealers in old Metals who are subject to the Regulations of this Act as aforesaid, and who carry on Business within the District of a County or the City or Borough for which such Justices act, and every such Inspector or Serjeant shall and is hereby empowered to record in the Book herein-after required to be kept by every such Dealer in old Metals the Day and Hour of his Visit, and place opposite the Entry of every Article examined by him his Initials or Name in attestation of the same.

Regulations to be observed by registered Dealers in old Metals.

8. Every Dealer in old Metals who is registered as aforesaid shall, during the Period which the Justices shall order as above provided, conform to the following Regulations; (that is to say,)

(1.) He shall keep a Book or Books fairly written, and shall enter therein, according to the Form No. 2. in the Schedule to this Act annexed, an Account of all such old Metals as he may from Time to Time become possessed of, stating in respect of each Article the Name of the Person who purchased or received the same, and the Time at which and the Name of the Person from whom he purchased or received the same, adding in the Case of every such last-mentioned Person a Description of his Business and Place of Abode; and he shall also enter in such Book or Books, according to the Form No. 3. in the Schedule to this Act annexed, an Account of all such old Metals as he may from Time to Time sell or dispose of, stating in respect of such old Metals the Name of the Person to whom he sold or disposed of the same, adding a Description of his Business and Place of Abode; and every such Entry in such Book or Books shall be deemed and taken, unless the contrary be shown, to have been made by or with the Authority of the Dealer in old Metals to whom such Book or Books belong:

(2.) He shall not by himself or any other Person purchase or receive any old Metals of any Description before the Hour of Nine in the Morning nor after the Hour of Six in the Evening, nor shall he by himself or any other Person purchase or receive old Metals of any Description from any

any Person apparently under the Age of Sixteen Years, nor shall he employ any Servant or Apprentice or any other Person under the Age of Sixteen Years to purchase or receive old Metals of any Description:

(3.) He shall produce to any Inspector or Serjeant of Police, authorized as in the last preceding Section provided, whenever thereto requested, the Book or Books required to be kept as aforesaid, and any old Metals purchased or received by him then in his Possession; and such old Metals shall be deemed to be in the Possession of such Dealer when they are placed in any House, Outhouse, Yard, Garden, or Place occupied by him, or shall have been removed with his Knowledge and Permission to any other Place without a *bonâ fide* Sale of such old Metals having been made by him:

(4.) He shall without Delay give Notice to the Officer on Duty at the Police Station nearest to the Place where he carries on Business of any Articles then in his Possession or which shall thereafter come into his Possession answering the Description of any Articles which have been stolen, embezzled, or fraudulently obtained, of which printed or written Information, containing a Description of such Articles, is given to him by any Officer of Police:

(5.) He shall keep all old Metals purchased or received by him without changing the Form in which such Articles were when so purchased, or disposing of the same in any way, for a Period of Forty-eight Hours after such Article has been purchased or received:

For any Act or Default contrary to the foregoing Regulations done or made by any registered Dealer in old Metals, during the Period which the Justices shall order as above provided, he shall incur a Penalty of not less than Twenty Shillings and not exceeding Five Pounds, and for every subsequent Offence a Penalty of not less than Five Pounds and not exceeding Twenty Pounds.

Recovery of Penalties.

9. Every Penalty hereby incurred and all Costs directed to be paid upon any Information or Complaint laid under the Provisions of this Act shall be recovered summarily before any Two or more Justices of the Peace in the Manner directed by the Act of the Eleventh and Twelfth Years of the Reign of Her Majesty Queen *Victoria*, Chapter Forty-three, or in such other Manner as may be directed by any Act or Acts that may be passed for like Purposes; and where any Costs or Expenses are incurred in or about the Prosecution or carrying into effect of this Act, which are not recoverable under the Provisions of the above Act, it shall be lawful for any Two Justices of the Peace of any County or Borough, if they shall think fit, to order and direct the same to be paid to the Party incurring the same out of the same Fund and in the same Manner as is directed by the Act of the Seventh Year of the Reign of His late Majesty King *George* the Fourth, Chapter Sixty-four, in Cases of Felony and Misdemeanor.

10. The

Application of Penalties.

10. The Justices imposing any Penalty under this Act may, if they shall think fit, direct the whole or any Part thereof to be applied in compensating any Person for any Wrong or Damage which he may have sustained by the Act or Default in respect of which such Penalty is imposed, or to be applied in and towards Payment of the Expenses of the Proceedings; and subject to such Directions or specific Application as aforesaid, all Penalties shall be paid to the Treasurer of the County or of the City or Borough within which such Penalties are recovered, and shall be carried to and form Part of the County Fund or of the City or Borough Fund of such County or of such City or Borough respectively.

Appeal in certain Cases.

11. In all Cases of Convictions under the Fourth Section of this Act, and in all other Cases of Convictions under this Act where a Sum of Money exceeding Five Pounds shall be adjudged to be paid, any Person who thinks himself aggrieved by such Conviction may appeal to the next Court of General or Quarter Sessions which is holden not less than Twelve Days after the Day of such Refusal or Conviction for the County, City, Borough, Liberty, Riding, Division, or Place wherein the Case has been tried; provided that such Person shall give to the Justices or the Complainant, as the Case may be, a Notice in Writing of such Appeal, and of the Cause and Matter thereof, within Three Days after such Conviction, and Seven clear Days at the least before such Sessions, and shall also within such Periods respectively enter into a Recognizance with Two sufficient Sureties before a Justice of the Peace, conditioned personally to appear at the said Sessions and try such Appeal, and abide the Judgment of the Court thereupon, and pay such Costs as shall be by the Court awarded; and the Court at such Sessions shall hear and determine the Matter of the Appeal, and shall make such Order therein, with or without Costs to either Party, as to the Court shall seem meet: Provided always, that in case the Conviction appealed against shall be under the Fourth Section of this Act, and an Order for Registration has been made on such Conviction, the Party so convicted shall not be subject to the Regulations of this Act until after such Appeal is heard and determined against such Party.

Limit of Act

12. This Act shall extend to *England* only.

SCHEDULE.

No. 1.

Register of Dealers in Old Metals.

Date of Registration.	Date of Conviction.	Period for which to be subject to Regulations of this Act.	Name.	Place of Abode and Business.

No. 2.

ENTRY of PURCHASES AND RECEIPTS.

Day of Purchase or Receipt, and Hour of Day.	Description of old Metal purchased or received.	Name and Surname of Person who purchased or received.	Name and Surname of Person from whom purchased or received.	Business and Place of Abode of Person from whom purchased or received.

No. 3.

ENTRY OF SALES.

Day of Sale.	Description of old Metal sold.	Name and Surname of Person to whom sold.	Business and Place of Abode or Business of Person to whom sold.

C A P. CXI.

An Act to amend "The Probates and Letters of Administration Act (*Ireland*), 1857." [6th *August* 1861.]

7 & 8 Vict. c. 97. 20 & 21 Vict. c. 79.

'WHEREAS by an Act passed in the Seventh and Eighth 'Years of Her Majesty, Chapter Ninety-seven, for the 'more effectual Application of Charitable Donations and Be- 'quests in *Ireland*, it is provided, that the Judge of Her Majesty's 'Court of Prerogative for Causes Ecclesiastical and Court of 'Faculties in and throughout *Ireland* for the Time being shall 'be One of the Commissioners of Charitable Donations and 'Bequests: And whereas by another Act passed in the Twentieth 'and Twenty-first Years of the Reign of Her Majesty, Chapter 'Seventy-nine, for amending the Law relating to Probates and 'Letters of Administration in *Ireland*, it is provided, that the 'Judge of Her Majesty's Court of Probate in *Ireland* shall be 'One of the Commissioners of Charitable Donations and Bequests, 'in lieu of the Judge of Her Majesty's Court of Prerogative for 'Causes

'Causes Ecclesiastical and Court of Faculties in and throughout 'Ireland: And whereas the Judge of Her Majesty's Court of 'Probate in *Ireland* may be called upon as Judge of the said 'Court to decide Cases in which the Commissioners of Charitable 'Donations and Bequests are Parties, and it is therefore ex- 'pedient that the said Judge should cease to be a Commissioner 'of Charitable Donations and Bequests, and that the said last- 'recited Act should be amended:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Certain Parts of 20 & 21 Vict. c. 79. repealed, and a new Commissioner to be appointed.

1. So much of the said recited Act of the Twentieth and Twenty-first Years of Her Majesty, Chapter Seventy-nine, as provides that the Judge of Her Majesty's Court of Probate shall be One of the Commissioners of Charitable Donations and Bequests for *Ireland*, shall be and the same is hereby repealed, and it shall be lawful for Her Majesty, by Warrant under the Sign Manual, to appoint One other Person to be a Commissioner of Charitable Donations and Bequests for *Ireland*, instead of the said Judge of Her Majesty's Court of Probate so ceasing to be such Commissioner, and the Appointment of such Commissioner shall be published in the *Dublin Gazette*.

No Decision made by Judge to be set aside by reason of such Judge being a Commissioner, &c.

2. Provided always, That no Order, Decree, or Judgment which shall have been made or given, or Proceeding which shall have been taken, before the passing of this Act, by the Court of Probate in *Ireland*, in or in respect of any Issue which shall have been tried in the said Court, in which the said Commissioners of Charitable Donations and Bequests were Parties or had any Interest, shall be subject to be overruled or rendered invalid by reason of the Judge of the said Court having been *ex officio* One of the said Commissioners.

CAP. CXII.

An Act for the Appropriation of the Seats vacated by the Disfranchisement of the Boroughs of *Sudbury* and *Saint Alban*. [6th *August* 1861.]

'WHEREAS by an Act of the Session of the Seventh and 'Eighth Years of the Reign of Her present Majesty, 'Chapter Fifty-three, intituled *An Act for the Disfranchisement* 7 & 8 Vict. c. 53. '*of* Sudbury, it is provided that the Borough of *Sudbury* in the 'County of *Suffolk* shall, from and after the passing of that Act, 'cease to return any Member or Members to serve in Parlia- 'ment: And whereas by an Act of the Session of the Fifteenth 'and Sixteenth Years of the Reign of Her present Majesty, 'Chapter Nine, intituled *An Act to disfranchise the Borough* 15 & 16 Vict. '*of* St. Albans, it is provided that the Borough of *St. Albans* c. 9. 'in the County of *Hertford* shall, from and after the passing of 'that Act, cease to return any Members or Member to serve in 'Parliament: And whereas it is expedient to appropriate in 'manner herein-after mentioned the Four Seats vacated by the

'Disfranchisement of the said Boroughs:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Division of West Riding of Yorkshire.

1. After the Dissolution of this present Parliament the West Riding of the County of *York* shall be divided into Two Divisions, to be called respectively the Northern and Southern Divisions; the Northern Division shall contain the Wapentakes of *Staincliffe* and *Ewecross*, *Claro*, *Skyrack*, and *Morley*; the Southern Division shall contain the Wapentakes of *Barkston Ash*, *Osgoldcross*, *Strafforth* and *Tickhill*, *Staincross*, and *Agbrigg*.

Number of Members in future Elections.

2. In all future Parliaments there shall be Two Knights of the Shire to serve for each of the said Northern and Southern Divisions, and such Knights shall be chosen in the same Manner, and by the same Classes or Descriptions of Voters, and in respect of the same Rights of Voting, as if each such Division were a separate County; and all Enactments now in force applicable to Divisions of Counties returning Knights of the Shire to serve in Parliament shall apply to the Divisions hereby constituted.

Courts and Polling Places.

3. The Court for the Election of Knights of the Shire for the said Northern Division shall be held at *Leeds*, and the Court for the Election of Knights of the Shire of the said Southern Division shall be held at *Wakefield*; but the Justices of the Peace for the said West Riding, assembled at any Court of Quarter Sessions not later than the first to be holden after the Dissolution of the present Parliament, shall name the Polling Places for each of the said Northern and Southern Divisions, and divide such Divisions into convenient Districts for polling, and shall assign One of such Districts to every Polling Place named; and a List stating the Polling Places and describing the Districts assigned shall be lodged with the Clerk of the Peace of the West Riding, who shall forthwith cause Copies of such List to be printed, and shall deliver a Copy of such List to every Person who shall apply for the same, upon Payment of One Shilling for each Copy: Provided always, that nothing herein contained shall, as regards the Divisions constituted by this Act, affect the Power of altering from Time to Time Polling Places and Districts contained in the Act of the Session held in the Sixth and Seventh Years of King *William* the Fourth, Chapter One hundred and two.

Provision in case of Dissolution before Construction of new Polling District.

4. In case of a Dissolution of the present Parliament, and a new Election taking place before the Justices have named such Polling Places and assigned such Polling Districts as aforesaid, the Places then by Law appointed for taking the Poll for Elections of Knights of the Shire for the West Riding of *York*, which are situate in the respective Divisions constituted by this Act, shall be the Places for taking the Poll at such Election for the Election of Knights of the Shire to serve in Parliament for the respective Divisions constituted as aforesaid, and the Districts assigned to such Polling Places shall be deemed to continue for the Purposes of such Election, subject to this Qualification: that if a Portion of any District assigned to any Polling Place is situate

situate in a different Division from the Polling Place, the Sheriff shall, in his Proclamation of the Place and Time at which the Election of Members for either Division is to be held, declare at what Polling Place or Polling Places the Voters of any Parish or Township situate in such outlying Portion are to vote.

Voters for First General Election.

5. For the Purposes of the First General Election for the said Northern and Southern Divisions that takes place after the Dissolution of this present Parliament, the Clerk of the Peace of the said West Riding shall make a new Register of Voters by apportioning to each Division, according to the Situation in such Division of the Parishes or Townships, the several Persons appearing by the existing Register, to be for the Time being Voters for the said West Riding, and the Voters for the said Northern and Southern Divisions respectively shall be determined by such new Register, and shall be entitled to vote accordingly, and the Clerk of the Peace of the said West Riding shall send Notice to the Overseers of each Parish and Township within the said West Riding of the Division for which the Voters of such Parish or Township are entitled to vote, and the said Overseer shall publish such Notice in manner directed by Law; and at such General Election as is mentioned in this Section all Persons shall vote in the Polling District in which their Qualifications are situate, unless they may have claimed, and be entitled by Law, to vote in some other Polling District within the same Division.

Voters at subsequent General Elections.

6. For the Purposes of all Elections subsequent to the First General Election held for the said Divisions after the Dissolution of this present Parliament, Registers of Voters shall be formed in respect of the Divisions of the said West Riding constituted under this Act, at the same Time and in like Manner as if they were Divisions of Counties now returning Members to serve in Parliament; but nothing in this Act shall affect the Rights of Persons whose Names are for the Time being on the Register of Voters to vote at any Election of a Member of the West Riding in respect of any Vacancy that may take place before such Dissolution.

Additional Member for Southern Division of Lancashire.

7. After the passing of this Act the Southern Division of *Lancashire* shall be entitled to return Three Knights of the Shire, instead of Two, to serve in Parliament.

Provision for Election of such additional Member.

8. As soon as may be after the passing of this Act the Speaker of the House of Commons shall, without any Motion being made, or, if it be during the Recess, without receiving any such Notice as is required in the Case of an ordinary Vacancy, issue a Warrant to the Clerk of the Crown to make out a Writ for electing an additional Member of the House of Commons for the said Southern Division of *Lancashire*, and such Warrant shall be valid notwithstanding the Issue thereof during the Recess of the House of Commons by Prorogation or Adjournment, and the same Proceedings, as nearly as Circumstances admit, shall be had in pursuance of the Writ so made out as if the said Division had previously returned Three Members, instead

of Two, to serve in Parliament, and a Vacancy had occurred in the Seat of One of the Members returned for such Division.

Birkenhead to form a Borough to return One Member.

9. *Birkenhead* in the County of *Cheshire* shall, for the Purposes of this Act, be a Borough, and shall from and after the First Day of *December* One thousand eight hundred and sixty-one return One Member to serve in Parliament; it shall as such Borough include the Places following; that is to say, the Extra-parochial Chapelry of *Birkenhead*, the several Townships of *Claughton*, *Tranmere*, and *Oxton*, and so much of the Township of *Higher Bebbington* as lies to the Eastward of the Road leading from *Higher Tranmere* to *Lower Bebbington*.

Provision for Appointment of Returning Officer for such Borough.

10. The Sheriff for the Time being of the County in which the Borough constituted by this Act is situate shall as soon as possible after the passing of this Act, and in every subsequent Year in the Month of *March*, by Writing under his Hand, to be delivered to the Clerk of the Peace of the County within One Week, and to be by such Clerk of the Peace filed and preserved with the Records of his Office, appoint for such Borough a fit Person being resident therein to be, and such Person so appointed shall accordingly be, the Returning Officer for such Borough until the Appointment to be made in the succeeding *March*; and the Provisions contained in Section Eleven of the Act of the Session of the Second and Third Years of King *William* the Fourth, Chapter Forty-five, providing for the Event of the Death or Incapacity of any Person appointed as Returning Officer for any Borough, as therein mentioned, and exempting any Person so appointed from serving again in the same Office, and disqualifying certain Persons from being so appointed, and Persons so appointed from being appointed Churchwardens or Overseers, shall extend and be applicable to and for the Appointment of Returning Officer for the Borough constituted by this Act, and to the Returning Officer to be appointed for the same.

A Register of Voters to be formed in 1861 for such Borough.

11. Notwithstanding the Continuance of this present Parliament, a Register of Voters shall be formed in and after the Year One thousand eight hundred and sixty-one for the Borough constituted by this Act, in like Manner as if it were a Borough now returning a Member to serve in Parliament, with this Qualification, that for the Purposes of the Register of the said Borough to be formed in the Year One thousand eight hundred and sixty-one, the Act passed in the Session holden in the Sixth Year of the Reign of Her present Majesty, Chapter Eighteen, shall be construed as if the Month of *August* had been inserted therein in place of the Month of *June*, and the Month of *September* in the Place of the Month of *July*, and the Month of *October* in the Place of the Month of *August*, and the Month of *November* in the Place of the Month of *September*; and it shall be the Duty of the Revising Barrister to hold his Court for the Revision of the List of the Voters for the Borough between the Fourteenth Day of *November* and the Twenty-first Day of *November* One thousand eight hundred and sixty-one, instead of between the Fifteenth Day of *September* and the last Day of *October*, as in the said Act mentioned; and the printed Book or Books constituting

stituting the Register of Voters for the Borough of *Birkenhead* shall be delivered to the Returning Officer of the said Borough on or before the last Day of *November* as in the said Act mentioned; and the said Register shall be deemed to be in force from and after such last-mentioned Day.

Provisions consequent on Formation of Borough.

12. No Person shall be registered in the Register of Voters formed after the passing of this Act for the County of *Cheshire* who would not be entitled to be so registered in case the Borough of *Birkenhead* were now a Borough returning a Member to serve in Parliament.

Provision as to such Borough in case of a Dissolution before its Register is in force.

13. In case a Dissolution of this present Parliament takes place before the Day at and from which the Register of Voters to be first made for the Borough constituted by this Act begins to be in force, the Writs for the Election of a Member to serve in Parliament for such Borough shall not be issued until such Register begins to be in force; but if no Dissolution of this present Parliament takes place before such last-mentioned Day, the Speaker of the House of Commons shall, without any Motion being made, or, if it be during the Recess, without receiving any such Notice as is required in the Case of an ordinary Vacancy, issue a Warrant to the Clerk of the Crown to make out a Writ for the Election of One Member for the said Borough, and such Warrant shall be valid notwithstanding the Issue thereof during the Recess of the House of Commons by Prorogation or Adjournment, and the same Proceedings, as nearly as Circumstances admit, shall be had in pursuance of the Writ so made out as if the said Borough had previously returned a Member to Parliament, and a Vacancy had occurred in the Seat of such Member.

Writs, &c. to be made conformable to this Act.

14. All Warrants and Writs to be issued for the Election of Members to serve in Parliament in pursuance of this Act, and all Mandates, Precepts, Instruments, Proceedings, and Notices consequent upon such Writs, shall be framed in such Manner and Form as may be necessary for the carrying the Provisions of this Act into effect.

Election Laws to remain in force.

15. Subject to the Provisions of this Act, all Laws, Statutes, Usages, Provisions, and Penalties now in force relating to the issuing of Writs, the Conduct of Elections, or otherwise respecting the Representation of the People in *England* and *Wales*, shall remain in full force, and shall apply, as nearly as Circumstances admit, to the Borough hereby constituted, as if it were now a Borough returning a Member to Parliament, and to the Divisions of Counties hereby authorized to return additional Members, as if they were now returning such additional Member.

C A P. CXIII.

An Act for amending and consolidating the Law relating to Industrial Schools. [6th *August* 1861.]

'WHEREAS it is expedient to make further Provision for 'the Education and Control in Industrial Schools of 'destitute and refractory Children:' Be it enacted by the

Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Short Title.

1. This Act may be cited for all Purposes as "The Industrial Schools Act, 1861."

Limits of Act.

2. This Act shall not extend to *Scotland* or *Ireland*.

Interpretation of Terms.

3. The following Words and Expressions shall have the Meanings hereby assigned to them respectively, unless there be something in the Subject or Context repugnant to such Construction:

"Justices" shall mean any Two or more Justices of the Peace acting together in Petty Sessions, also the Lord Mayor or any Alderman of the City of *London*, or any other Magistrate authorized by Statute to do alone whatsoever is authorized by the Act of the Eleventh and Twelfth Years of Her present Majesty, Chapter Forty-three, to be done by any Two or more Justices of the Peace:

"Managers" shall include the Directors, Managers, or other Persons who have the Management or Control of any such Industrial School as is herein-after mentioned:

"Parent" shall include any Person legally liable to maintain a Child, except the putative Father of a Bastard Child on whom an Order of Affiliation has been made:

"County" shall include any City, Borough, Riding, Division of a County, or other Place having a separate Commission of the Peace:

"Parish" shall include any Place maintaining its own Poor.

Certified Industrial Schools.

Mode of certifying Industrial School.

4. Her Majesty's Secretary of State for the Home Department, herein-after referred to as the Secretary of State, may, upon the Application of the Managers of any School in which industrial Training is provided, and in which Children are clothed, lodged, and fed, as well as taught, appoint such Person as he may think fit to examine into the Condition of the School, and to report to him thereon, and if satisfied with such Report he may by Writing under his Hand certify that such School is fitted for the Reception of such Children as may be sent there in pursuance of this Act, and shall cause a Copy of the Certificate to be sent to the Clerk of the Peace of the County in which the School is situate, and to the Town Clerk of every Borough within such County; but no School shall be certified under this Act and also under the Act of the Session of the Seventeenth and Eighteenth Years of Her Majesty, Chapter Eighty-six, intituled *An Act for the better Care and Reformation of youthful Offenders in* Great Britain.

Withdrawal of Certificate by Secretary of State.

5. Every Industrial School that has been certified under this Act, herein-after referred to as "a certified Industrial School," shall from Time to Time, and at least once in each Year, be inspected by a Person to be appointed by the Secretary of State;

State; and it shall be lawful for the Secretary of State, if dissatisfied with the Condition of such School as reported to him, by Notice under his Hand, addressed to the Managers of such School, to declare that the Certificate is withdrawn, from and after a Day to be specified in such Notice, not less than Two Months after the Date thereof.

Notice of Withdrawal.

6. Any such Notice as aforesaid may be served on the Managers of such School by delivering the same personally to any One of them, or by sending it, by Post or otherwise, in a Letter addressed to them or any of them at the said School, or at the usual or last known Place of Abode of any Manager, or of the authorized Secretary, and shall cause a Copy of the Notice to be sent to the Clerk of the Peace of the County in which the School is situate, and to the Town Clerk of every Borough within such County; and any School on the Managers of which such Notice has been served shall from and after the Day therein specified cease to be a certified Industrial School within the Meaning of this Act.

Resignation of Certificate by Managers.

7. The Managers of any certified Industrial School may, upon giving Six Months previous Notice of their Intention so to do, in Writing under the Hand of One or more of them, or of the authorized Secretary, require the Secretary of State to withdraw the Certificate given to such School; and accordingly, at the Expiration of Six Months from the Date of the Notice, such Certificate shall be deemed to be withdrawn, and from thenceforth it shall not be lawful to send or receive there any more Children under this Act; but the Managers of a certified Industrial School shall not, except in manner provided by this Section, have Power, without the Consent of the Secretary of State, expressed in Writing, to withdraw from the Obligation of educating, clothing, lodging, and feeding any Children that at the Time of the giving such Notice may be in the School, in pursuance of the Provisions of this Act, until the Certificate be withdrawn, or until such Children be removed to some other Industrial School by an Order of the Secretary of State; and if such Managers make default in so doing they shall incur a Penalty not exceeding Five Pounds for each Default, to be recovered in manner herein-after mentioned.

Guardians may contract with Managers.

8. The Guardians of any Union or any Parish wherein the Relief to the Poor is administered by a Board of Guardians, may, if they deem proper, with Consent of the Poor Law Board, contract with the Managers of any certified Industrial School for the Maintenance and Education of any Pauper Child.

Admission of Children to and their Status at School.

Description of Children liable to be sent to School.

9. Children of the Descriptions herein-after mentioned may be sent to certified Industrial Schools in pursuance of the Provisions of this Act; that is to say,

1. Any Child apparently under the Age of Fourteen Years found begging or receiving Alms, or being in any Street or public Place for the Purpose of begging or receiving Alms:

2. Any

2. Any Child apparently under the Age of Fourteen Years that is found wandering, and not having any Home or settled Place of Abode, or any visible Means of Subsistence, or frequents the Company of reputed Thieves:
3. Any Child apparently under the Age of Twelve Years who, having committed an Offence punishable by Imprisonment or some less Punishment, ought nevertheless, in the Opinion of the Justices, regard being had to his Age, and to the Circumstances of the Case, to be sent to an Industrial School:
4. Any Child under the Age of Fourteen Years whose Parent represents that he is unable to control him, and that he desires such Child to be sent to an Industrial School, in pursuance of this Act, and who at the same Time gives such Undertaking or other Security as may be approved by the Justices before whom he is brought, in pursuance of this Act, to pay all Expenses incurred for the Maintenance of such Child at School:

Provided that no Child who, on being brought before the Justices, is proved to have been previously convicted of Felony, shall be deemed to be within the Provisions of this Act.

Justices may send Child to School.

10. Any Person may bring before Justices any Child that is herein-before declared to be liable to be sent to an Industrial School; and the Justices shall make full Inquiry into all the Facts of the Case, and if satisfied, on the Result of such Inquiry that this Act applies to such Child, and that it is expedient to deal with him under its Provisions, may, by Writing under their Hands and Seals, order the Child to be sent, for such Period as they may think necessary for his Education and Training, to any certified Industrial School, whether situate within their Jurisdiction or not, the Managers of which are willing to receive such Child; subject to this Qualification, that it shall be the Duty of the Justices to select, if possible, an Industrial School conducted in accordance with the Religious Persuasion to which the Parent of the Child appears to them to belong: Provided also, that the Justices shall have Power, while Inquiry is being made respecting such Child, or respecting a School to which he may be sent, to order him to be taken to the Workhouse belonging to the Parish in which such Child has been found, and to be detained therein, at the Cost of the Union to which the Parish belongs, for any Time not exceeding Seven Days, or until an Order be made, previous to the Expiration thereof, for the Discharge of such Child, or for his being sent to an Industrial School, as herein-before provided, and such Child shall be so detained accordingly: Provided that the Order of the Justices sending the Child to School shall specify the Religious Persuasion to which the Child appears to the Justices to belong, and it shall be lawful for a Minister of that Religious Persuasion to visit the Child at the School on such Days and at such Times of the Day as may from Time to Time be fixed by Regulations to be made by the Secretary of State, for the Purpose of instructing him in Religion.

11. The

Industrial Schools.

Lodging Child at School.

11. The Managers of any certified Industrial School may, at their Discretion, permit any Child sent there in pursuance of this Act to sleep or lodge at the Dwelling of his Parent, or of any trustworthy and respectable Person, so that they educate, feed, and clothe the Child in all respects as if he were lodging in the School itself, and that they report to the Secretary of State, in such Manner as he may require, every Instance in which they exercise a Discretion under this Section.

Settlement not acquired by Stay at School.

12. The Time during which any Child is lodged in any certified Industrial School under this Act shall, for all the Purposes of the Act of the Session of the Ninth and Tenth Years of Her present Majesty, Chapter Sixty-six, and of every Act incorporated therewith, be excluded in the Computation of the Time therein mentioned.

Power to make Rules, &c.

13. It shall be lawful for the Managers of any certified Industrial School to make all necessary Rules, Orders, and Byelaws for the Regulation and Management of the School under their Charge, not repugnant to the Provisions of this Act; but no such Rules, Orders, or Byelaws shall be enforced until they have been submitted to and approved by the Secretary of State.

Limitation of Stay at School.

14. No Child shall in pursuance of this Act be detained against his Consent in any certified Industrial School after he has attained the Age of Fifteen Years.

Discharge of Child from School.

15. The Secretary of State may from Time to Time, by Writing under his Hand, remove any Child sent to an Industrial School in pursuance of this Act from one certified Industrial School to another, so that the whole Period of the Detention of such Child at Industrial Schools be not thereby increased: He may also, in like Manner, discharge any Child from an Industrial School, either absolutely or upon Condition of the Parent of such Child or any near Relation undertaking to educate, clothe, and feed him, or entering into such other Undertaking as the Secretary of State may require.

Power in certain Cases to discharge Child before Expiration of Period, &c.

16. On the Application of the Parent, or of the Managers, or of the Guardians who may be liable to make any Repayment as aforesaid on account of any Child, any Justices of the County in which the School is situate, if satisfied that a suitable Employment has been provided for the Child, or that there is otherwise sufficient Cause, may discharge the Child from the School before the full Expiration of the Period for which he has been sent there.

Maintenance of Children at School.

Maintenance of Child at School.

17. The Commissioners of Her Majesty's Treasury, upon the Representation of the Secretary of State, may, out of Monies provided by Parliament, contribute towards the Maintenance of any Children sent to School in pursuance of this Act, except such Children as are sent to School, in pursuance of this Act, at the Desire of their Parents, and on their Representation that they are unable to control them, at such Rate *per* Head as may be determined by him, or such Portion of the Cost as may not be recovered from the Parent of the Child in manner herein provided, or such other Portion as the Secretary of State may recommend.

18. The

Industrial Schools.

Order for Payment of Maintenance.

18. The Justices by whom any Child is sent to School in pursuance of this Act, or Justices having Jurisdiction within the District where the School is situate to which any Child is sent in pursuance of this Act, or in which the Parent of such Child shall reside, upon an Application made by any Person appointed by the Secretary of State for that Purpose, or by any Agent of such Person, shall have Authority to make an Order on the Parent of such Child for the Payment, either at the Time of the Child being first sent to School, or at any Time during his Continuance at School, of the Expenses of his Maintenance at School to an Amount not exceeding Five Shillings for every Week during which the Child remains at such School.

Variation of Order.

19. The Order made by the Justices may specify the Time during which the Parent is to pay the Sums thereby directed to be paid, or it may be indefinite, and until further Order; and any Justices of the Peace having Jurisdiction to make such Order may from Time to Time vary the same whenever Circumstances require it, on the Application either of the Parent or of any Person appointed by the Secretary of State to receive the Money, or by the Agent of such Person, on Fourteen Days Notice being first given of such Application to such Person or his Agent, or to such Parent, respectively.

Absconding from School.

Penalty on Child absconding.

20. If any Child, whether lodging in the School or elsewhere, before attaining the Age of Fifteen Years, or before being duly discharged, wilfully absconds from the School to which he is sent in pursuance of this Act, or neglects to attend thereat, or wilfully refuses to conform to the Regulations thereof, any Justices having Jurisdiction in the Place in which the School is situate or in which the Child is retaken may, by Writing under their Hands and Seals, order him to be sent back to the School, and to be detained there until he attains the Age of Fifteen Years, or for such shorter Period as the Justices think fit, or, instead of sending him back to such last-mentioned School, the Justices may commit him, under the Provisions of the Act of the Session of the Seventeenth and Eighteenth Years of *Victoria*, Chapter Eighty-six, to any Reformatory School certified under the said Act.

Penalty on inducing Child to abscond.

21. Any Person who directly or indirectly withdraws a Child from the certified Industrial School to which he has been sent, previously to his attaining the Age of Fifteen Years or to being duly discharged, or who induces or aids him to abscond, or who knowingly conceals or harbours him, or in any way prevents his Return, shall for every such Offence incur a Penalty not exceeding Five Pounds, or shall be liable, at the Discretion of the Justices, to be imprisoned for any Period not exceeding Twenty Days.

Recovery of Penalties.

Mode of recovering Penalties.

22. Penalties may be recovered and Payments may be enforced under this Act in manner provided by the Act of the Session of the Eleventh and Twelfth Years of the Reign of Her present

present Majesty, Chapter Forty-three, and any Act amending the same.

Evidence.

Evidence of School being certified.

23. Whenever the Secretary of State grants a Certificate to or withdraws it from any Industrial School, in pursuance of this Act, he shall cause a Notice of such Grant or Withdrawal to be published in the *London Gazette* within One Calendar Month, and such Publication shall be sufficient Evidence of the Fact in all Proceedings before Justices and other Courts.

Evidence of Order of Justices.

24. The Order made by the Justices sending any Child to a certified Industrial School shall be forwarded to the Managers thereof, and shall be a sufficient Warrant for the Detention of the Child.

Evidence of Certificate of School, Identity of Child, and making of Orders.

25. Whenever it is necessary to prove that any Industrial School is duly certified under this Act, the Production of an attested Copy of the Certificate or of the Notice published in the *London Gazette* shall be sufficient Evidence thereof; and the Production of the Order under which any Child has been sent to or is detained in any certified Industrial School under this Act, or a Copy of such Order, with a Memorandum signed by One of the Managers or their authorized Secretary, or by the Superintendent or Master or Matron of any such School, that the Child named in such Order was duly received into and is at the signing thereof detained in such School, or has been otherwise disposed of according to Law, and the Production of any Order made under this Act, or a Copy thereof, certified by the Clerk to the Justices making the same to be a correct Copy, shall in all Proceedings whatsoever be sufficient Evidence of the due making and signing of all or any of such Orders, Memorandum, and Certificate respectively, and of the sending, Detention, and Identity of the Child or Parent named in such Orders respectively, without Proof of the Signatures of the Justices or other Persons appearing to have signed the same respectively.

Forms.

Use of Form in Schedule.

26. No Summons, Notice, or Order made for the Purpose of carrying into effect the Provisions of this Act shall be invalidated for Want of Form only; and the Form in the Schedule to this Act annexed, or any Form to the like Effect, may be used in the Case to which it refers, and when used shall be deemed sufficient.

Repeal of Acts.

Repeal of Acts herein named.

27. There shall be repealed the Acts herein-after mentioned; that is to say,

1. An Act passed in the Session holden in the Twentieth and Twenty-first Years of Her Majesty, Chapter Forty-eight, intituled *An Act to make better Provision for the Care and Education of vagrant, destitute, and disorderly Children, and for the Extension of Industrial Schools:*

2. An

2. An Act passed in the Session holden in the Twenty-third and Twenty-fourth Years of Her Majesty, Chapter One hundred and eight, intituled *An Act to amend the Industrial Schools Act*, 1857:

Provided that such Repeal shall not affect—

1. Any Certificate given or anything duly done under any Act hereby repealed:
2. Any Order made under any Act hereby repealed:
3. Any Penalty, Forfeiture, or other Punishment incurred under any Act hereby repealed, or any Remedy for recovering or enforcing the same.

Application of Act to existing certified Schools.

28. This Act shall apply to all Schools certified under the Acts hereby repealed or either of them, and to all Children sent to any Industrial School, under the Acts hereby repealed or either of them, in the same Manner in all respects as if such Certificate had been given or Children been sent under the Provisions of this Act, with this Qualification, that no Child shall be detained at any Industrial School, in pursuance of any Order made under the repealed Acts, for a longer Period than he would have been detained if this Act had not passed.

Duration of Act.

29. This Act shall remain in force until the First Day of *January* One thousand eight hundred and sixty-four.

SCHEDULE.

FORM.

Order sending Child to Industrial School.

} To the Constable of and to
to wit. } the Managers of the certified

Industrial School at :

WHEREAS a certain Child named *A.B.* was this Day brought before us, Her Majesty's Justices of the Peace for the in Petty Sessions assembled, under the Provisions of the Industrial Schools Act, 1861: Now therefore we, the said Justices, being satisfied that the said Act applies to such Child, and that it is expedient to deal with him [*or* her] under its Provisions, order you the said Constable in pursuance of the said Act to take the said Child, and him [*or* her] safely convey to the certified Industrial School at aforesaid, and there to deliver him [*or* her], together with this Order; and we do hereby command you the said Managers to receive the said Child into your Charge in the said School, and there to detain, educate, clothe, and feed him [*or* her] for the Period of from the Date hereof.

Given under our Hands and Seals, this Day of at in the County aforesaid.

[*Signatures and Seals of Justices.*]

CAP. CXIV.

An Act to amend the Law with respect to Wills of Personal Estate made by *British* Subjects. [6th *August* 1861.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Wills made out of the Kingdom to be admitted if made according to the Law of the Place where made, or of the Place of Domicile.

1. Every Will and other testamentary Instrument made out of the United Kingdom by a *British* Subject (whatever may be the Domicile of such Person at the Time of making the same or at the Time of his or her Death) shall as regards Personal Estate be held to be well executed for the Purpose of being admitted in *England* and *Ireland* to Probate, and in *Scotland* to Confirmation, if the same be made according to the Forms required either by the Law of the Place where the same was made or by the Law of the Place where such Person was domiciled when the same was made, or by the Laws then in force in that Part of Her Majesty's Dominions where he had his Domicile of Origin.

Wills made in any Part of the Kingdom to be admitted if made according to Law in force where made.

2. Every Will and other testamentary Instrument made within the United Kingdom by any *British* Subject (whatever may be the Domicile of such Person at the Time of making the same or at the Time of his or her Death) shall as regards Personal Estate be held to be well executed, and shall be admitted in *England* and *Ireland* to Probate, and in *Scotland* to Confirmation, if the same be executed according to the Forms required by the Laws for the Time being in force in that Part of the United Kingdom where the same is made.

Change of Domicile not to invalidate Will.

3. No Will or other testamentary Instrument shall be held to be revoked or to have become invalid, nor shall the Construction thereof be altered, by reason of any subsequent Change of Domicile of the Person making the same.

Nothing in this Act to invalidate Wills otherwise made.

4. Nothing in this Act contained shall invalidate any Will or other testamentary Instrument as regards Personal Estate which would have been valid if this Act had not been passed, except as such Will or other testamentary Instrument may be revoked or altered by any subsequent Will or testamentary Instrument made valid by this Act.

Extent of Act.

5. This Act shall extend only to Wills and other testamentary Instruments made by Persons who die after the passing of this Act.

CAP. CXV.

An Act for the Government of the Navy.

[6th *August* 1861.]

'WHEREAS it is expedient to amend the Law relating to 'the Government of the Navy, whereon, under the good 'Providence of God, the Wealth, Safety, and Strength of the 'Kingdom chiefly depend:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

PART

PART I.

Articles of War.

Public Worship.

Public Worship to be performed.

1. All Officers in Command of Her Majesty's Ships of War shall cause the Public Worship of Almighty God according to the Liturgy of the Church of *England* established by Law to be solemnly, orderly, and reverently performed in their respective Ships, and shall take care that Prayers and Preaching, by the Chaplains in Holy Orders of the respective Ships, be performed diligently, and that the Lord's Day be observed according to Law.

Misconduct in the Presence of the Enemy.

Penalty for Misconduct in Action.

2. Every Flag Officer, Captain, Commander or Officer commanding subject to this Act who upon Signal of Battle, or on Sight of a Ship of an Enemy which it may be his Duty to engage, shall not,

(1.) Use his utmost Exertion to bring his Ship into Action;

(2.) Or shall not during such Action, in his own Person and according to his Rank, encourage his inferior Officers and Men to fight courageously;

(3.) Or who shall surrender his Ship to the Enemy when capable of making a successful Defence, or who in Time of Action shall improperly withdraw from the Fight,

shall, if he has acted traitorously, suffer Death; if he has acted from Cowardice shall suffer Death, or be imprisoned, and be also dismissed with Disgrace from Her Majesty's Service; and if he has acted from Negligence, or through other Default, he shall be dismissed from Her Majesty's Service, with or without Disgrace, or shall suffer such other Punishment as is herein-after mentioned.

Penalty for not pursuing the Enemy and of not assisting a Friend in View.

3. Every Officer subject to this Act who shall forbear to pursue the Chase of any Enemy, Pirate, or Rebel, beaten or flying, or shall not relieve and assist a known Friend in View to the utmost of his Power, or who shall improperly forsake his Station, shall, if he has therein acted traitorously, suffer Death; if he has acted from Cowardice, suffer Death or such other Punishment as is herein-after mentioned; if he has acted from Negligence, or through other Default, shall be dismissed from Her Majesty's Service, with Disgrace, or shall suffer such other Punishment as is herein-after mentioned.

Penalty for discouraging the Service, or deserting his Post, &c.

4. When any Action or any Service is commanded, every Person subject to this Act who shall presume to delay or discourage the said Action or Service upon any Pretence whatsoever, or in the Presence or Vicinity of the Enemy shall desert his Post or sleep upon his Watch, shall suffer Death, or such other Punishment as is herein-after mentioned.

Penalty for Misconduct of subordinate Officers and Men in Action.

5. Every Person subject to this Act, and not being a Commanding Officer, who shall not use his utmost Exertions to carry the Orders of his superior Officers into execution when ordered to prepare for Action, or during the Action, shall, if he has acted traitorously, suffer Death; if he has acted from Cowardice shall suffer

suffer Death, or such other Punishment as is herein-after mentioned; and if he has acted from Negligence, or through other Default, be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Communications with the Enemy.

Penalty for Spies.

6. All Spies for the Enemy shall be deemed to be Persons subject to this Act, and shall suffer Death, or such other Punishment as is herein-after mentioned.

Penalty for corresponding, &c. with the Enemy.

7. Every Person subject to this Act who shall traitorously hold—

(1.) Correspondence with or shall give Intelligence to the Enemy;

(2.) Or fail to make known to the proper Authorities any Information he may have received from the Enemy;

(3.) Or who shall relieve the Enemy with any Supplies,

shall suffer Death, or such other Punishment as is herein-after mentioned.

Penalty for improper Communication with the Enemy.

8. Every Person subject to this Act who shall, without any treacherous Intention, hold any improper Communication with the Enemy, shall be dismissed from Her Majesty's Service, or shall suffer such other Punishment as is herein-after mentioned.

Neglect of Duty.

Penalty for abandoning Post, &c.

9. Every Person subject to this Act who shall desert his Post or sleep upon his Watch, or negligently perform the Duty imposed on him, shall be dismissed from Her Majesty's Service, with Disgrace, or shall suffer such other Punishment as is herein-after mentioned.

Mutiny.

Penalty for Mutiny with Violence.

10. Where Mutiny is accompanied by Violence, every Person subject to this Act who shall join therein shall suffer Death, or such other Punishment as is herein-after mentioned; and every Person subject to this Act who shall not use his utmost Exertions to suppress such Mutiny shall, if he has acted traitorously, suffer Death, or such other Punishment as is herein-after mentioned; if he has acted from Cowardice, shall suffer Penal Servitude or such other Punishment as is herein-after mentioned; if he has acted from Negligence he shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Penalty for Mutiny without Violence.

11. Where a Mutiny is not accompanied by Violence, the Ringleader or Ringleaders of such Mutiny shall suffer Death, or such other Punishment as is herein-after mentioned; and all other Persons who shall join in such Mutiny, or shall not use their utmost Exertions to suppress the same, shall suffer Imprisonment or such other Punishment as is herein-after mentioned.

Penalty for inciting to Mutiny.

12. Every Person subject to this Act who shall endeavour to seduce any other Person subject to this Act from his Duty or Allegiance to Her Majesty, or endeavour to incite him to commit

any Act of Mutiny, shall suffer Death or such other Punishment as is herein-after mentioned.

Penalty for Civilians endeavouring to seduce from Allegiance.

13. Every Person, not otherwise subject to this Act, who being on board any Ship of Her Majesty, shall endeavour to seduce from his Duty or Allegiance to Her Majesty any Person subject to this Act, shall so far as respects such Offence be deemed to be a Person subject to this Act, and shall suffer Death or such other Punishment as is herein-after mentioned.

Penalty for making mutinous Assemblies, &c.

14. Every Person subject to this Act who shall make or endeavour to make any mutinous Assembly, or shall lead or incite any other Person to join in any mutinous Assembly, or shall utter any Words of Sedition or Mutiny, shall suffer Penal Servitude or such other Punishment as is herein-after mentioned.

Penalty for concealing any traitorous Practice, &c.

15. Every Person subject to this Act who shall wilfully conceal any traitorous or mutinous Practice or Design, or any traitorous or mutinous Words spoken against Her Majesty, or any Words, Practice, or Design tending to the Hindrance of the Service, shall suffer Penal Servitude or such other Punishment as is herein-after mentioned.

Penalty for striking or offering to strike superior Officer.

16. Every Person subject to this Act who shall strike or offer to strike or use any Violence against his superior Officer, being in the Execution of his Office, shall be punished with Death, or such other Punishment as is herein-after mentioned; and every Person subject to this Act who shall strike or offer to strike or use any Violence against his superior Officer, not being in the Execution of his Office, shall be punished with Penal Servitude or such other Punishment as is herein-after mentioned.

Insubordination.

Penalty for Disobedience, &c.

17. Every Person who shall wilfully disobey any lawful Command of his superior Officer, or shall use threatening or insulting Language or behave with Contempt to his superior Officer, shall be punished with Dismissal from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Penalty for quarrelling, &c., or using reproachful Speech or Gestures.

18. Every Person subject to this Act who shall quarrel or fight with any other Person, whether such other Person be or be not subject to this Act, or shall use reproachful or provoking Speeches or Gestures, tending to make any Quarrel or Disturbance, shall suffer Imprisonment or such other Punishment as is herein-after mentioned.

Desertion and Absence without Leave.

Penalty for Desertion.

19. Every Person subject to this Act who shall absent himself from his Ship or from the Place where his Duty requires him to be, without any Intention of returning to such Ship or Place, or who shall at any Time and under any Circumstances when absent from his Ship do any Act which shows that he has not any Intention of returning to such Ship or Place, shall be deemed to have deserted, and shall be punished accordingly; that is to say,

(1.) If

(1.) If he has deserted to the Enemy he shall be punished with Death or such other Punishment as is herein-after mentioned;

(2.) If he has deserted under any other Circumstances he shall be punished with Penal Servitude or such other Punishment as is herein-after mentioned;

and in every such Case he shall forfeit all Pay, Head Money, Bounty, Salvage, Prize Money, and Allowances that have been earned by him, and all Annuities, Pensions, Gratuities, Medals, and Decorations that may have been granted to him, and also all Clothes and Effects which he may have left on board the Ship or at the Place from which he has deserted, unless the Tribunal by which he is tried shall otherwise direct.

Penalty for inducing to desert.

20. Every Person subject to this Act who shall endeavour to seduce any other Person subject to this Act to desert shall suffer Imprisonment, or such other Punishment as is herein-after mentioned.

Penalty for entertaining a Deserter.

21. Every Officer in Command of any Ship of Her Majesty who shall receive or entertain any Deserter from Her Majesty's Military or Naval Forces, after discovering him to be a Deserter, and shall not, with all convenient Speed, in the Case of a Deserter from Her Majesty's Naval Forces, give Notice to the Commanding Officer of the Ship to which such Deserter belongs, or, if such Ship is at a Distance, to the Secretary of the Admiralty or to the Commander-in-Chief, or, in case of a Deserter from Her Majesty's Military Forces, give Notice to the Secretary of War or the Commanding Officer of the Regiment to which such Deserter belongs, the Officer so offending shall be dismissed from Her Majesty's Service, or shall suffer such other Punishment as is herein-after mentioned.

Penalty for Absence without Leave.

22. Every Person subject to this Act who shall be absent without Leave shall be liable to Imprisonment for any Period not exceeding Ten Weeks, with or without Hard Labour, or such other Punishment as the Circumstances of the Case may require, and shall also forfeit out of his Wages a Sum not exceeding the Amount of Two Days Pay, exclusive of all Charges of Apprehension, and in addition for every Twenty-five Hours of Absence a Sum not exceeding Six Days Pay; and any Person may be deemed to be absent without Leave, notwithstanding his Absence may not have been voluntary, but may have been caused by Imprisonment under any Commitment for any Offence against the Law.

Miscellaneous Offences.

Penalty for profane Swearing and other Immoralities.

23. Every Person subject to this Act who shall be guilty of any profane Oath, Cursing, Execration, Drunkenness, Uncleanness, or other scandalous Action in derogation of God's Honour and Corruption of good Manners, shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Penalty on Officer for Cruelty or Oppressi

24. Every Officer subject to this Act who shall be guilty of Cruelty, or of any scandalous or fraudulent Conduct, shall be dismissed

dismissed with Disgrace from Her Majesty's Service; and every Officer subject to this Act who shall be guilty of any other Conduct unbecoming the Character of an Officer shall be dismissed, with or without Disgrace, from Her Majesty's Service.

Penalty for suffering Ships to be improperly lost.

25. Every Person subject to this Act who shall either designedly or negligently or by any Default lose, strand, or hazard, or suffer to be lost, stranded, or hazarded, any Ship of Her Majesty, or in Her Majesty's Service, shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Penalty for not taking care of and defending Ships under Convoy.

26. The Officers of all Ships of Her Majesty appointed for the Convoy and Protection of any Ships or Vessels shall diligently perform their Duty without Delay according to their Instructions in that Behalf; and every Officer who shall fail in his Duty in this respect, and shall not defend the Ships and Goods under his Convoy, without Deviation to any other Objects, or shall refuse to fight in their Defence if they are assailed, or shall cowardly abandon and expose the Ships in his Convoy to Hazard, or shall demand or exact any Money or other Reward from any Merchant or Master for convoying any Ships or Vessels entrusted to his Care, or shall misuse the Masters or Mariners thereof, shall make such Reparation in Damages to the Merchants, Owners, and others as the Court of Admiralty may adjudge, and also shall be punished criminally according to the Nature of his Offence, by Death or such other Punishment as is herein-after mentioned.

Master of Merchant Vessel to obey Orders of convoying Officer.

27. Every Master or other Officer in command of any Merchant or other Vessel under the Convoy of any Ship of Her Majesty shall obey the Commanding Officer thereof in all Matters relating to the Navigation or Security of the Convoy, and shall take such Precautions for avoiding the Enemy as may be directed by such Commanding Officer; and if he shall fail to obey such Directions such Commanding Officer may compel Obedience by Force of Arms, without being liable for any Loss of Life or of Property that may result from his using such Force.

Penalty for taking Goods on board other than for Use of Vessel, except Gold, &c.

28. Every Officer in Command of any of Her Majesty's Ships who shall receive on board, or permit to be received on board, such Ship any Goods or Merchandises whatsoever, other than for the sole Use of the Ship, except Gold, Silver, or Jewels, and except the Goods and Merchandise belonging to any Merchant, or on board any Ship which may be shipwrecked or in imminent Danger, either on the High Seas or in some Port, Creek, or Harbour, for the Purpose of preserving them for their proper Owners, or except such Goods or Merchandise as he may at any Time be ordered to take or receive on board by Order of the Admiralty, shall be dismissed from Her Majesty's Service, or suffer such other Punishment as is herein-after mentioned.

Penalty for embezzling Public Stores.

29. Every Person subject to this Act who shall wastefully expend, embezzle, or fraudulently buy, sell, or receive, any Ammunition, Provisions, or other Public Stores, and every Person subject to this Act who shall knowingly permit any such wasteful Expenditure, Embezzlement, Sale, or Receipt, shall suffer Imprisonment

Imprisonment or such other Punishment as is herein-after mentioned.

Penalty for burning any Magazine, &c. not belonging to Enemy.

30. Every Person subject to this Act who shall unlawfully set fire to any Dockyard, Victualling Yard, or Steam Factory Yard Arsenal Magazine, Building, Stores, or to any Ship, Vessel, Hoy, Barge, Boat, or other Craft, or Furniture thereunto belonging, not being the Property of an Enemy, Pirate, or Rebel, shall suffer Death or such other Punishment as is herein-after mentioned.

Penalty for making or signing false Musters.

31. Every Person subject to this Act who shall knowingly make or sign a false Muster or Record or other official Document, or who shall command, counsel, or procure the making or signing thereof, or who shall aid or abet any other Person in the making or signing thereof, shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Penalty for Misconduct in Hospital.

32. Every Person subject to this Act who shall wilfully do any Act, or wilfully disobey any Orders, whether in Hospital or elsewhere, with Intent to produce or to aggravate any Disease or Infirmity, or to delay his Cure, or who shall feign any Disease, Infirmity, or Inability to perform his Duty, shall suffer Imprisonment, or such other Punishment as is herein-after mentioned.

Penalty for endeavouring to stir up Disturbance on account of unwholesome Victuals.

33. Every Person subject to this Act who shall have any Cause of Complaint, either of the Unwholesomeness of the Victuals or upon any other just Ground, shall quietly make the same known to his Superior, or Captain, or Commander-in-Chief, and the said Superior, Captain, or Commander-in-Chief shall, as far as he is able, cause the same to be presently remedied; and no Person subject to this Act upon any Pretence whatever shall attempt to stir up any Disturbance, upon Pain of such Punishment as a Court-martial may think fit to inflict, according to the Degree of Offence.

Penalty for Offences against Discipline.

34. Every Person subject to this Act who shall be guilty of any Act, Disorder, or Neglect to the Prejudice of good Order and Naval Discipline, not herein-before specified, shall be dismissed from Her Majesty's Service with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Penalty for not sending to Court of Admiralty all Papers found aboard Prize Ships.

35. All the Papers, Charter Parties, Bills of Lading, Passports, and other Writings whatsoever that shall be taken, seized, or found aboard any Ship or Ships which shall be taken as Prize shall be duly preserved, and the Commanding Officer of the Ship which shall take such Prize shall send the Originals entire and without Fraud to the Court of Admiralty, or such other Court or Commissioners as shall be authorized to determine whether such Prize be lawful Capture, there to be viewed, made use of, and proceeded upon according to Law, upon Pain that every Person offending herein shall be dismissed from Her Majesty's Service, or shall suffer such other Punishment as is herein-after mentioned, and in addition thereto shall forfeit and lose his Share of the Capture.

Penalty for taking Money or other Effects out of any

36. No Person subject to this Act shall take out of any Prize or Ship seized for Prize any Money, Plate, or Goods, unless it shall be necessary for the better securing thereof, or for the

Prize before the same shall be condemned.

necessary Use and Service of any of Her Majesty's Ships and Vessels of War, before the same be adjudged lawful Prize in some Admiralty Court; but the full and entire Account of the whole without Embezzlement shall be brought in, and Judgment passed entirely upon the whole, without Fraud, upon Pain that every Person offending herein shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned, and in addition thereto forfeit and lose his Share of the Capture.

Penalty for stripping or ill-using Persons taken on board a Prize.

37. If any Ship or Vessel shall be taken as Prize, none of the Officers, Mariners, or other Persons on board her shall be stripped of their Clothes, or in any sort pillaged, beaten, or evil intreated, upon Pain that the Person or Persons so offending shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Offences punishable by Ordinary Law.

Penalty for Offences punishable by ordinary Law.

38. Every Person subject to this Act who shall be guilty of Murder shall suffer Death:

If he shall be guilty of Manslaughter he shall suffer Penal Servitude, or such other Punishment as is herein-after mentioned:

If he shall be guilty of Sodomy with Man or Beast he shall suffer Penal Servitude:

If he shall be guilty of indecent Assaults he shall suffer Penal Servitude, or such other Punishment as is herein-after mentioned:

If he shall be guilty of Robbery or Theft he shall suffer Penal Servitude, or such other Punishment as is herein-after mentioned:

If he shall be guilty of any other Criminal Offence which if committed in *England* would be punishable by the Law of *England*, he shall, whether the Offence be or be not committed in *England*, be punished either in pursuance of the First Part of this Act as an Act to the Prejudice of good Order and Naval Discipline not otherwise specified, or the Offender shall be subject to the same Punishment as might be awarded by any ordinary Criminal Tribunal competent to try the Offender, if the Offence had been committed in *England*.

Offences, when punishable.

39. For all Offences specified or referred to in this Act, if committed by any Person subject thereto in any Harbour, Haven, or Creek, or on any Lake or River, whether in or out of the United Kingdom or anywhere within the Jurisdiction of the Admiralty, or at any Place on shore out of the United Kingdom of *Great Britain* and *Ireland*, or in any of Her Majesty's Dockyards, Victualling Yards, Steam Factory Yards, or on any Gun Wharf, or in any Arsenal, Barrack, or Hospital belonging to Her Majesty, whether in or out of the said United Kingdom, the Offender may be tried and punished under this Act, and for all Offences herein-before specified under the Headings "Misconduct in the Presence of the Enemy," "Communications with the Enemy," "Neglect of Duty," "Mutiny," "Insubordination," "Desertion

"Desertion and Absence without Leave," or "Miscellaneous Offences," if committed by any Person subject to this Act at any Place on shore, whether in or out of the said United Kingdom, the Offender may be tried and punished under this Act.

PART II.

General Provisions.

Power of Court-martial to find Intent with which Offence committed.

40. Where the Amount of Punishment for any Offence under this Act depends upon the Intent with which it has been committed, and any Prisoner is charged with having committed such Offence with an Intent involving a greater Degree of Punishment, a Court-martial may find that the Offence was committed with an Intent involving a less Degree of Punishment, and award such Punishment accordingly.

Power of Court-martial to find Prisoner guilty of lesser Offence on Charge of greater.

41. Where any Prisoner shall be charged with Murder, a Court-martial may find him guilty of Manslaughter or of a Common Assault; where he shall be charged with Sodomy, a Court-martial may find him guilty of an indecent Assault; where he shall be charged with Theft, a Court-martial may find him guilty of an Attempt to thieve, or of Embezzlement, or of wrongful Appropriation of Property belonging to another; and generally where any Prisoner shall be charged with any Offence under this Act he may upon Failure of Proof of the Commission of the greater Offence be found guilty of another Offence of the same Class involving a less Degree of Punishment, but not of any Offence involving a greater Degree of Punishment.

Rebels, &c. to be deemed Enemies.

42. All armed Rebels, armed Mutineers and Pirates, shall be deemed to be Enemies within the Meaning of this Act.

Power to arrest Offenders.

43. Every Officer in Command of One of Her Majesty's Ships may, by Warrant under his Hand, authorize any Person to arrest an Offender belonging to such Ship for any Offence against this Act mentioned in such Warrant; and any Person so authorized may use Force, if necessary, for the Purpose of effecting such Apprehension, towards any Person subject to this Act.

Penalty for not assisting in Detection of Prisoners.

44. Every Person subject to this Act who shall not use his utmost Endeavours to detect, apprehend, and bring to Punishment all Offenders against this Act, and shall not assist the Officers appointed for that Purpose, shall suffer Imprisonment or such other Punishment as is herein-after mentioned.

PART III.

Regulations as to Punishments.

Punishments.

45. The following Punishments may be inflicted in Her Majesty's Navy:

(1.) Death:
(2.) Penal Servitude:
(3.) Dismissal with Disgrace from Her Majesty's Service:
(4.) Imprisonment or Corporal Punishment:
(5.) Dismissal from Her Majesty's Service:
(6.) Forfeiture of Seniority as an Officer for a specified Time, or otherwise:

(7.) Dismissal from the Ship to which the Offender belongs:
(8.) Severe Reprimand, or Reprimand:
(9.) Disrating a Subordinate or Petty Officer:
(10.) Forfeiture of Pay, Head Money, Bounty, Salvage, Prize Money, and Allowances earned by, and of all Annuities, Pensions, Gratuities, Medals, and Decorations granted to the Offender, or of any One or more of the above Particulars; also, in the Case of Desertion, of all Clothes and Effects left by the Deserter on board the Ship to which he belongs:
(11.) Such minor Punishments as are now inflicted according to the Custom of the Navy, or may from Time to Time be allowed by the Admiralty:

and each of the above Punishments shall be deemed to be inferior in Degree to every Punishment preceding it in the above Scale.

Regulations as to Punishments.

46. The following Regulations are hereby made with respect to the Infliction of Punishments in Her Majesty's Navy:

(1.) The Admiralty may, except in case of Sentence of Death, which shall only be remitted by Her Majesty, suspend, annul, or modify any Sentence passed on any Person subject to this Act:
(2.) Judgment of Death shall not be passed on any Prisoner unless Four at least of the Officers present at the Court-martial, where the Number does not exceed Five, and in other Cases a Majority of not less than Two Thirds of the Officers present, concur in the Sentence:
(3.) The Punishment of Death shall not be inflicted on any Prisoner until the Sentence has been confirmed by the Admiralty or by the Commander in Chief on a Foreign Station:
(4.) The Punishment of Penal Servitude may be inflicted for the Term of Life, or for any other Term of not less than Three Years:
(5.) The Punishment of Penal Servitude shall in all Cases involve Dismissal with Disgrace from Her Majesty's Service:
(6.) Dismissal with Disgrace shall involve in all Cases a Forfeiture of all Pay, Head Money, Bounty, Salvage, Prize Money, and Allowances that have been earned by, and of all Annuities, Pensions, Gratuities, Medals, and Decorations that may have been granted to the Offender, and an Incapacity to serve Her Majesty again in any Military, Naval, or Civil Service; and may also in all Cases be accompanied by a Sentence of Imprisonment, with or without Solitary Confinement not exceeding the Periods herein-after mentioned, and with or without Hard Labour for all or any Part of the Term of Imprisonment, and with or without Corporal Punishment:
(7.) The Punishment of Imprisonment may be inflicted for any Term not exceeding Two Years; it may be accompanied with a Direction that the Prisoner shall be kept in Solitary Confinement for any Period of such Term not exceeding

exceeding Fourteen Days at any One Time, and not exceeding Eighty-four Days in any One Year, with Intervals between the Periods of Solitary Confinement of not less Duration than the Periods of Solitary Confinement, and when the Imprisonment awarded exceeds Eighty-four Days, the Solitary Confinement shall not exceed Seven Days in any Twenty-eight Days of the whole Imprisonment awarded, with Intervals between the Periods of Solitary Confinement of not less Duration than such Periods, and the Punishment of Imprisonment may also be accompanied with a Direction that the Prisoner shall be kept to Hard Labour for all or any Part of the Term of Imprisonment, or any such Direction may apply either to Solitary Confinement or Hard Labour only, and Corporal Punishment may be awarded in addition to any Sentence of Imprisonment, whether such Imprisonment is or is not to be accompanied with Solitary Confinement and Hard Labour, or either of them: In any Case of Corporal Punishment not more than Forty-eight Lashes shall be inflicted:

(8.) No Officer shall be subject to Corporal Punishment: No Petty or Non-commissioned Officer shall be subject to Corporal Punishment, except in case of Mutiny:

All other Punishments authorized by this Act may be inflicted in the Manner heretofore in use in the Navy.

Limitation of Time as to Trials.

47. No Person, unless he be an Offender who has avoided Apprehension or fled from Justice, shall be tried or punished in pursuance of this Act for any Offence committed by him unless such Trial shall take place within Three Years from the Commission of such Offence, or within One Year after the Return of such Offender to the United Kingdom, where he has been absent from the United Kingdom during such Period of Three Years.

Scale of Punishment.

48. Subject to the foregoing Regulations, where any Punishment is specified by this Act as the Penalty for any Offence, and it is further declared that another Punishment may be awarded in respect of the same Offence, the Expression "other Punishment" shall be deemed to comprise any one or more of the Punishments inferior in Degree to the specified Punishment, according to the Scale herein-before mentioned; but Corporal Punishment shall be deemed equal in Degree to Imprisonment, and may in all Cases, subject to the foregoing Regulations, be inflicted as a Substitute for or in addition to Imprisonment.

Authorities having Power to try Offences.

49. Any Offence triable under this Act may be tried and punished by Court-martial; and any Offence, triable under this Act, not committed by an Officer, and not hereby made Capital, may, under such Regulations as the Admiralty may from Time to Time issue, be summarily tried and punished by the Officer in Command of the Ship to which such Offender belongs, subject to the following Restrictions; (that is to say,)

(1.) The Commanding Officer shall not have Power to award the Punishment of Penal Servitude:

(2.) The

(2.) The Commanding Officer shall not have Power to sentence any Man, except a Deserter, or Man absent without Leave, to Imprisonment for a longer Period than Twenty-eight Days, nor to sentence a Deserter to Imprisonment for a longer Period than Three Calendar Months, nor a Man absent without Leave to Imprisonment for a longer Period than Six Weeks, nor to award Solitary Confinement for more than Seven Days at a Time with Intervals of not less than Seven Days between each Period of Solitary Confinement:

(3.) Except in case of open Mutiny, no Man shall be sentenced by the Commanding Officer to Corporal Punishment until his Offence has been inquired into by One or more Officers appointed by such Commanding Officer, and his or their Opinion as to the Guilt or Innocence of the Prisoner reported to such Commanding Officer, and the Commanding Officer shall thereupon act as according to his Judgment may seem right.

PART IV.

COURTS-MARTIAL.

Constitution of Courts-martial.

Constitution of Courts-martial.

50. The following Regulations are hereby made with respect to Courts-martial:

(1.) A Court-martial shall consist of not less than Five nor more than Nine Officers:

(2.) No Officer shall be qualified to sit as a Member of any Court-martial held in pursuance of this Act unless he be a Flag Officer, Captain Commander, or Lieutenant of Her Majesty's Navy on Full Pay:

(3.) A Court-martial shall not be held unless at least Three of Her Majesty's Ships, not being Tenders, and not commanded by Officers under the Rank of Lieutenant, are together at the Time when such Court-martial is held:

(4.) No Officer shall sit on a Court-martial who is under Twenty-one Years of Age:

(5.) No Court-martial for the Trial of a Flag Officer shall be duly constituted unless the President is a Flag Officer, and the other Officers composing the Court are of the Rank of Captain, or of higher Rank:

(6.) No Court Martial for the Trial of a Captain in Her Majesty's Navy shall be duly constituted unless the President is a Captain or of higher Rank, and the other Officers composing the Court are Commanders or Officers of higher Rank:

(7.) No Court-martial for the Trial of any Person below the Rank of Captain in Her Majesty's Navy shall be duly constituted, unless the President is a Captain or of higher Rank, nor unless in addition to the President there are Two other Members of the Court of the Rank of Commander or of higher Rank:

(8.) The

(8.) The Prosecutor shall not sit on any Court-martial for the Trial of a Prisoner whom he prosecutes :

(9.) The Admiralty shall have Power to order Courts-martial to be held for the Trial of Offences under this Act, and to grant Commissions to any Officer of Her Majesty's Navy on full Pay authorizing him to order Courts-martial to be held for the Trial of such Offences :

(10.) An Officer holding a Commission from the Admiralty to order Courts-martial shall not be empowered to do so if there is present at the Place where such Court-martial is to be held any Officer superior in Rank to himself, although such last-mentioned Officer may not hold a Commission to order Courts-martial ; and in such a Case such last-mentioned Officer may order a Court-martial although he does not hold any Commission for the Purpose :

(11.) If any Officer holding a Commission from the Admiralty to order Courts-martial, having the Command of a Fleet or Squadron, and being in Foreign Parts, die, be recalled, leave his Station, or be removed from his Command, the Officer upon whom the Command of the Fleet or Squadron devolves, and so from Time to Time the Officer who shall have the Command of the Fleet or Squadron, shall, without any Commission from the Admiralty, have the same Power to order Courts-martial as the first-mentioned Officer was invested with :

(12.) If any Officer holding a Commission from the Admiralty to order Courts-martial, and having the Command of any Fleet or Squadron of Her Majesty's Ships in Foreign Parts, shall detach any Part of such Fleet or Squadron, he may, by Commission under his Hand, empower the Commanding Officer of the Squadron or Detachment ordered on such separate Service, and in case of his Death or ceasing so to command the Officer to whom the Command of such separate Squadron or Detachment shall belong, to order Courts-martial during the Time of such separate Service, or until such Authority shall be revoked, or until the Officer commanding the Detachment shall come under the Command of another superior Officer, or shall return to the United Kingdom :

(13.) The Officer ordering a Court-martial shall not sit thereon :

(14.) The President of every Court-martial shall be named by the Authority ordering the same, or by any Officer empowered by such Authority to name the President :

(15.) No Commander or Lieutenant shall be required to sit as a Member of any Court-martial when Four Officers of a higher Rank and junior to the President can be assembled at the Place where the Court-martial is to be holden; and when any Commander or Lieutenant sits at any Court-

Court-martial the Members of it shall not exceed Five in Number.

(16.) Subject to the foregoing Regulations, whenever a Court-martial shall be held the Officer appointed to preside thereat shall summon all the Officers next in Seniority to himself present at the Place where the Court-martial shall be held to sit thereon, until the Number of Nine, or such Number, not less than Five, as is attainable, is complete; subject to this Proviso, that the Admirals and Captains, being Superintendents of Her Majesty's Dockyards, shall not be summoned to sit on Courts-martial unless specially directed to do so by Orders from the Admiralty.

Proceedings of Courts-martial.

Sittings of Courts-martial.

51. A Court-martial held in pursuance of this Act shall sit from Day to Day, with the Exception of *Sundays*, until Sentence is given, and its Proceedings shall not be delayed by the Absence of any Member, so that not less than Five are present; and no Member shall absent himself unless compelled so to do by Sickness or other just Cause, to be approved of by the other Members of the Court; and if any Member of a Court-martial shall absent himself therefrom, in contravention of this Section, he shall be dismissed from Her Majesty's Service, or shall suffer such other Punishment as may be awarded by a Court-martial.

Appointment of officiating Judge Advocate.

52. In the Absence of a Judge Advocate or his Deputy, the Officer who is to be the President of the Court-martial may appoint any Person to officiate as Judge Advocate at the Trial; and the Judge Advocate of any Fleet for the Time being, or his Deputy, or the Person officiating as Judge Advocate, herein-after included under the Term "the Judge Advocate," shall administer an Oath to every Witness appearing at the Trial.

Proceedings at Trial.

53. As soon as the Court is assembled, the Names of the Officers composing the Court shall be read over to the Prisoner, who shall be asked if he objects to being tried by any Member of the Court. If the Prisoner shall object to any Member, the Objection shall be decided by the Court. If the Objection shall be allowed, the Place of the Member objected to shall be filled up by the Officer next in Seniority who is not on the Court-martial, subject to the Regulations herein-before contained.

Oaths to be administered to Members of Courts-martial.

54. Before the Court shall proceed to try the Prisoner, the Judge Advocate shall administer to every Member of the Court the following Oath; that is to say,

'I do swear, That I will duly administer Justice according to Law, without Partiality, Favour, or Affection; and I do further swear, that I will not on any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of this Court-martial, unless thereunto required in due Course of Law. So help me GOD.'

Oath to be administered to Judge Advocate, &c.

55. As soon as the said Oath shall be administered to the Members of the Court-martial, the President shall administer to the Judge Advocate the following Oath:

'I

'I do swear, That I will not upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless thereunto required in due Course of Law.

So help me GOD.'

Summoning Witnesses.

56. Every Person, Civil, Naval, and Military, who may be required to give Evidence before a Court-martial, shall be summoned by the Judge Advocate; and all Persons so summoned and attending as Witnesses before any Court-martial shall, during their necessary Attendance in or on such Court, and in going to and returning from the same, be privileged from Arrest, and shall, if unduly arrested, be discharged by the Court out of which the Writ or Process issued by which such Witness was arrested, or if such Court be not sitting, then by any Judge of the Superior Courts of *Westminster* or *Dublin*, or the Court of Session in *Scotland*, or of the Courts of Law in the *East* or *West Indies* or elsewhere, according as the Case shall require, upon its being made to appear to such Court or Judge, by any Affidavit in a summary Way, that such Witness was arrested in going to or returning from or attending upon such Court-martial; and all Witnesses so duly summoned as aforesaid who make default in attending on such Courts, or attending refuse to be sworn or make Affirmation, or being sworn or having made Affirmation refuse to give Evidence, or to answer all such Questions as the Court may legally demand of them, or prevaricate in giving their Evidence, shall, upon Certificate thereof under the Hand of the President of such Court-martial, be liable to be attached in the Court of Queen's Bench in *London* or *Dublin*, or the Court of Session, or Sheriff Depute or Stewarts Depute, or their respective Substitutes, within their several Shires and Stewartries, in *Scotland*, or Courts of Law in the *East* or *West Indies*, or in any of Her Majesty's Colonies, Garrisons, or Dominions in *Europe* or elsewhere, respectively, upon Complaint made, in like Manner as if such Witness after having been duly summoned and subpœnaed had neglected to attend on a Trial in any Proceeding in the Court in which such Complaint is made, or had refused to be sworn, or on being sworn had refused to give Evidence, or to answer all such Questions as the Court may legally demand, or had prevaricated in giving Evidence, or if the Court-martial shall think fit, in case any such Person belong to Her Majesty's Navy, being called upon to give Evidence at any Court-martial, shall refuse or neglect to attend to give his Evidence upon Oath or Affirmation, or shall prevaricate in his Evidence, or behave with Contempt to the Court, such Court-martial may punish every such Offender by Imprisonment not longer than Three Months, in case of such Refusal, Neglect, or Prevarication, nor longer than One Month in the Case of such Contempt; and every Person not subject to this Act who may be so summoned to attend shall be allowed and paid his reasonable Expenses, under the Authority of the Admiralty, for such Attendance.

Penalty on Persons giving false Evidence.

57. Every Person who, upon any Examination upon Oath or upon Affirmation, before any Court-martial held in pursuance of this

this Act, shall wilfully and corruptly give false Evidence, shall be liable to the Penalties of wilful and corrupt Perjury.

Where Persons are insane at the Time of Offence or Trial.

58. Where it shall appear upon the Trial by Court-martial of any Person charged with an Offence that such Person is insane, the Court shall find specially the Fact of his Insanity, and shall order such Person to be kept in strict Custody in such Place and in such Manner as to the Court shall deem fit, until the Directions of the Admiralty thereupon are known; and it shall be lawful for the Lords of the Admiralty to give Orders for the safe Custody of such Person during Her Majesty's Pleasure, in such Place and in such Manner as they shall think fit.

Report of Proceedings of Courts-martial.

59. Every Judge Advocate, or Person officiating as Judge Advocate, shall transmit with as much Expedition as may be the original Proceedings and Sentence of every Court-martial attended by him to the Commander-in-Chief or senior Officer, who shall transmit them to the Secretary of the Admiralty for the Time being, and any Person tried by a Court-martial shall be entitled, on Demand, to a Copy of such Proceedings and Sentence, at any Time not sooner than Six Months after the Trial if the same takes place in the *Mediterranean*, Three Months if at any other Naval Station within *Europe*, and Twelve Months if elsewhere, (upon Payment for the same at the Rate of Fourpence *per* Folio of Seventy-two Words,) but no such Demand shall be allowed after the Space of Three Years from the Date of the final Decision of such Court-martial.

PART V.

Penal Servitude and Prisons.

Penal Servitude.

Sentence of Penal Servitude.

60. Whenever any Sentence of Death shall be commuted for Penal Servitude, or whenever Sentence of Penal Servitude shall be passed upon any Offender by any Court-martial, and such Sentence, or any Part thereof, is intended to be carried into effect, the Admiralty shall cause the same to be notified in Writing to any Justice of the Queen's Bench, Common Pleas, or Baron of the Exchequer, and thereupon such Justice or Baron shall make an Order for the Penal Servitude of such Offender, upon the Terms and for the Time specified in such Notification, and shall do all such other Acts consequent upon such Notification as any such Justice or Baron is or may be authorized to make or do by any Statute or Statutes in force at the Time of making any such Order in relation to Penal Servitude of Offenders sentenced by Courts of Criminal Jurisdiction to Penal Servitude; and such Order and other Acts to be so made and done as aforesaid shall be obeyed and executed by such Person in whose Custody such Offender may at that Time be, and by all other Persons whom it may concern, and shall be as effectual and have all the same Consequences as any Order made under the Authority of any Statute relating to Penal Servitude with respect to any Offender in such Statute mentioned, and every Sheriff, Gaoler, Keeper, Governor, or Superintendent whom it may concern, and all Constables and other

other Persons, shall be bound to obey the aforesaid Order and Orders, and be assistant in the Execution thereof, and be liable to the same Punishment for Disobedience to or for interrupting the Execution of such Order as they would be if the same had been made under the Authority of any such Statute; and every Person so ordered to be kept in Penal Servitude shall be subject to all the Penalties and Provisions made by Law, and in force for the Time being, concerning Persons under Sentence of Penal Servitude, or receiving Her Majesty's Pardon on Condition of Penal Servitude; and from the Time when such Order of Penal Servitude is made, every Law in force touching the Escape of Felons, or their afterwards returning or being at large without Leave, shall apply to such Offender, and to all Persons aiding, abetting, contriving, or assisting in any Escape or intended Escape, or the returning without Leave of any such Offender; and the Judge or Baron who makes an Order for Penal Servitude as aforesaid shall direct the Notification of the Admiralty, and his own Order made thereupon, to be filed and kept of Record in the Office of the Clerk of the Crown of the Court of Queen's Bench, and the said Clerk shall have a Fee of Two Shillings and Sixpence only for filing the same, and shall, on Application, deliver a Certificate in Writing (not taking more than Two Shillings and Sixpence for the same) to such Offender or to any Person applying in his or the Admiralty's Behalf, showing the Christian and Surname of such Offender, his Offence, the Place where the Court was held before which he was convicted, the Sentence, and the Conditions on which the Order of Penal Servitude was made, and such Certificate shall be sufficient Proof of the Conviction and of the Sentence of such Offender, and also of the Terms on which such Order for his Penal Servitude was made, in any Court and in any Proceeding wherein it may be necessary to inquire into the same.

Disposal of Offender after Sentence of Penal Servitude.

61. When any Sentence of Death shall have been commuted for Penal Servitude, or when any Person subject to this Act shall have been condemned to Penal Servitude, it shall be lawful for the Admiralty, or any Commander-in-Chief on any Foreign Station, or the Commanding Officer of the Ship to which such Person belongs or has belonged, to cause him to be detained and conveyed to any One of Her Majesty's Ships, or any Gaol or Prison, there to remain in safe Custody until he is removed therefrom by the Order of the Admiralty or any such Commander-in-Chief or other due Authority, or under an Order for his Penal Servitude, to be made by some Justice of the Queen's Bench or Common Pleas or Baron of the Exchequer as aforesaid, and a Certificate of his Sentence (such Certificate to be signed by the Secretary of the Admiralty, or by any such Commander-in-Chief, or such Commanding Officer) shall be a sufficient Authority to the Commanding Officer of the Ship to which he may be sent, or to the Governor, Keeper, or Superintendent of the Gaol or Prison, to receive and detain him.

Subsistence of Offender.

62. In case any such Offender shall be conveyed to any Prison, not being a Naval Prison appointed by virtue of this Act, an Allowance such as the Admiralty shall from Time to Time direct

shall

shall be made to the Governor, Keeper, or Superintendent of the Gaol or Prison, for the Subsistence of such Offender during his Detention therein, and such Allowance shall be paid by Order of the Admiralty, upon Production by the said Governor, Keeper, or Superintendent of a Declaration, to be made by him before One of Her Majesty's Justices of the Peace of such County, of the Number of Days during which the Offender has been so detained and subsisted in such Gaol or Prison.

Imprisonment of Offender already under Sentence for previous Offence.

63. Whenever Sentence shall be passed by a Court-martial on an Offender already under Sentence either of Imprisonment or of Penal Servitude, passed upon him by a Court-martial for a former Offence, the Court may award Sentence of Imprisonment or Penal Servitude for the Offence for which he is under Trial to commence at the Expiration of the Imprisonment or Penal Servitude to which he has been previously sentenced, although the aggregate of the Terms of Imprisonment or Penal Servitude may exceed the Term for which either of those Punishments could be otherwise awarded.

Prisons.

Term and Place of Imprisonment.

64. Every Term of Penal Servitude or of Imprisonment in pursuance of this Act shall be reckoned as commencing on the Day on which the Sentence was awarded, and the Place of Imprisonment, whether the Imprisonment was awarded as an original or as a commuted Punishment, shall be such Place as may be appointed by the Court or the Commanding Officer awarding the Punishment, or which may from Time to Time be appointed by the Admiralty, or by the Commander-in-Chief on any Foreign Station, and may be One of the Naval Prisons appointed under this Act, or any Common Gaol, House of Correction, or Military Prison within Her Majesty's Dominions.

Place of Imprisonment may be changed, &c.

65. Whenever it is deemed expedient it shall be lawful for the Admiralty or any such Commander-in-Chief, by any Order in Writing, from Time to Time to change the Place of Confinement of any Offender imprisoned or sentenced to be imprisoned or detained in pursuance of this Act, and the Gaoler or other Person having the Custody of such Offender shall immediately on the Receipt of such Order remove such Offender to the Gaol, Prison, or House of Correction mentioned in the said Order, or shall deliver him over to Naval Custody for the Purpose of the Offender being removed to such Prison; and every Gaoler or Keeper of such last-mentioned Prison, Gaol, or House of Correction shall, upon being furnished with a Copy of such Order of Removal, attested by the Secretary of the Admiralty for the Time being, receive into his Custody and shall confine pursuant to such Sentence or Order every such Offender.

Expenses of Removal or Subsistence of Prisoners.

66. The Gaoler or other Person removing any Offender in pursuance of such Order shall be allowed for the Charges of such Removal a Sum not exceeding One Shilling a Mile, and when any Offender is not confined in a Naval Prison the Gaoler or other Person in whose Custody any such Offender may be shall receive such an Allowance as the Admiralty shall from Time to Time

Time direct for every Day that such Offender is in his Custody, to be applied towards his Subsistence, and such Sum shall be paid to the said Gaoler or other Person under the Authority of the Admiralty, upon the Application in Writing made to the Secretary of the Admiralty by any Justice for the County or Place in which such Gaol, Prison, or House of Correction shall be situate, with a Copy of the Sentence or Order under which the Prisoner is confined.

Proviso for Discharge or Removal of Prisoners.

67. Whenever any Prisoner is undergoing Imprisonment in pursuance of this Act, it shall be lawful for the Admiralty, or any Commander-in-Chief on any Foreign Station, or where an Offender has been imprisoned by Order of his Commanding Officer, for such Commanding Officer, or the Admiralty or any such Commander-in-Chief, to give an Order in Writing directing that the Prisoner be discharged; and it shall also be lawful for the Admiralty or any such Commander-in-Chief, and any Officer commanding any of Her Majesty's Ships, by Order in Writing, to direct that any such Prisoner be delivered over to Naval Custody for the Purpose of being brought before a Court-martial, either as a Witness, or for Trial or otherwise, and such Prisoner shall accordingly, on the Production of any such Order, be discharged, or be delivered over to such Custody.

Proviso as to Time of Detention in Naval Custody.

68. The Time during which any Prisoner under Sentence of Imprisonment is detained in Naval Custody shall be reckoned as Imprisonment under his Sentence, for whatever Purpose such Detention takes place; and the Governor, Gaoler, Keeper, or Superintendent who shall deliver over any such Prisoner shall again receive him from Naval Custody, so that he may undergo the Remainder of his Punishment.

In case of Insanity Prisoners to be removed to some Lunatic Asylum.

69. If any Person imprisoned by virtue of this Act shall become insane, and a Certificate to that Effect shall be given by Two Physicians or Surgeons, the Admiralty shall, by Warrant, direct the Removal of such Person to such Lunatic Asylum or other proper Receptacle for insane Persons in the United Kingdom as they may judge proper, for the unexpired Term of his Imprisonment; and if any such Person shall in the same Manner be certified to be again of sound Mind, the Admiralty may issue a Warrant for his being removed to such Prison or Place of Confinement as may be deemed expedient, to undergo the Remainder of his Punishment, and every Gaoler or Keeper of any Prison, Gaol, or House of Correction shall receive him accordingly.

Admiralty may set apart Buildings and Ships as Naval Prisons.

70. The Admiralty may set apart any Buildings or Vessels, or any Parts thereof, as Naval Prisons, and any Buildings or Vessels, or Parts of Buildings or Vessels, so set apart, shall be deemed to be Naval Prisons within the Meaning of this Act, and all Powers and Authorities with respect to County Gaols or Houses of Correction, which now are or which may hereafter be vested in any of Her Majesty's Principal Secretaries of State, shall, with respect to all such Naval Prisons, belong to the Admiralty; and it shall be lawful for the Admiralty from Time to Time to make, alter, and repeal Regulations for the Government and Superintendence of any such Naval Prison, and of the Officers

and Servants thereof, and of Offenders confined therein, and from Time to Time to appoint Inspectors and all other necessary Officers and Servants for any such Naval Prison, and, as Occasion may arise, to remove the Inspectors, Officers, or Servants of any such Naval Prison; and the senior Officer at any Port or Place or on any Station where there may be any such Naval Prison, or such senior Officer and such other Person and Persons as the Admiralty may from Time to Time appoint, shall be a Visitor or Visitors of such Prison; and every Inspector, Visitor, or Officer, having the Charge or Command of any such Naval Prison respectively, shall, subject to such Rules and Regulations as may from Time to Time be made as aforesaid, have and exercise, in respect of such Prison, and of the Officers and Servants thereof, and of the Prisoners confined therein, all the Powers and Authorities, as well in respect of administering Oaths as otherwise, which any Inspector, Visiting Justice, or Governor of a County Gaol or House of Correction may respectively exercise as such.

Penalties on aiding Escape or Attempt to escape of Prisoners, and on Breach of Prison Regulations.

71. If any Person shall convey or cause to be conveyed into any such Naval Prison any Arms, Tools, or Instruments, or any Mask or other Disguise to facilitate the Escape of any Prisoner, or by any Means whatever shall aid any Prisoner to escape or in an Attempt to escape from such Prison, whether an Escape be actually made or not, such Person shall be deemed guilty of Felony, and upon being convicted thereof shall be imprisoned, with or without Hard Labour, for any Term not exceeding Two Years, or suffer Penal Servitude for any Term not exceeding Fourteen Years; and if any Person shall bring or attempt to bring into such Prison, in contravention of the Rules, any spirituous or fermented Liquor, he shall for every such Offence be liable to a Penalty not exceeding Twenty Pounds and not less than Ten Pounds; and if any Person shall bring into such Prison, or to or for any Prisoner, without the Knowledge of the Officer having Charge or Command thereof, any Money, Clothing, Provisions, Tobacco, Letters, Papers, or other Articles not allowed by the Rules of the Prison to be in the Possession of a Prisoner, or shall throw into the said Prison any such Articles, or by Desire of any Prisoner, without the Sanction of the said Officer, shall carry out of the Prison any of the Articles aforesaid, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds; and if any Person shall interrupt any Officer of such Prison in the Execution of his Duty, or shall aid or excite any Person to assault, resist, or interrupt any such Officer, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds, or if the Offender be a Prisoner he shall, upon Conviction thereof before Two Justices of the Peace, or not less than Three of the Visitors of the Prison, be liable to be sentenced for every such Offence to be imprisoned, either with or without Hard Labour, and with or without Solitary Confinement, for any Time not exceeding Six Calendar Months, in addition to so much of the Time for which he was originally sentenced as may be then unexpired, and every Penalty which may be incurred under this Section shall be recoverable in a summary Manner; and such

Two

Two Justices or Three Visitors are hereby authorized to issue Warrants of Distress and Sale of the Offender's Goods, and every such Penalty shall be applied as the Admiralty shall direct, any Law, Statute, Charter, or Custom to the contrary notwithstanding.

Penalty as regards Gaolers, &c.

72. Every Governor, Gaoler, and Keeper of any Prison, Gaol, or House of Correction, and every Officer having the Charge or Command of any Place, Ship, or Vessel for Imprisonment, who shall, without lawful Excuse, refuse or neglect to receive or confine, remove, discharge, or deliver up any Offender against the Provisions of this Act or any of them, shall incur for every such Refusal or Neglect a Penalty not exceeding One hundred Pounds, to be recovered in a summary Manner before Two Justices of the Peace; and such Two Justices are hereby authorized to issue Warrants of Distress and Sale of the Offender's Goods, and every such Penalty shall be applied as the Admiralty shall direct, any Law, Statute, Charter, or Custom to the contrary notwithstanding.

Pay to be stopped during Imprisonment, &c.

73. During the Imprisonment of any Person in pursuance of this Act all Pay and Wages of the Prisoner shall be suspended and stopped.

PART VI.

Supplemental Provisions.

Short Title.

74. This Act may be cited for all Purposes as "The Naval Discipline Act, 1861."

Commencement of Act

75. This Act shall be in force within the United Kingdom; and as regards the United Kingdom "The Naval Discipline Act, 1860," shall be repealed from and after One Calendar Month from the passing hereof; and as regards elsewhere, this Act shall be in force, and "The Naval Discipline Act, 1860," shall be repealed, from and after Four Calendar Months from the passing hereof.

Definition of Terms.

76. In the Construction of this Act, unless there be something in the Context or Subject Matter repugnant to or inconsistent with such Construction—

"Admiralty," or "the Lords of the Admiralty," shall mean the Lord High Admiral for the Time being of the United Kingdom of *Great Britain* and *Ireland*, and when there shall be no such Lord High Admiral in Office, any Two or more of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom:

"Officer" shall mean an Officer belonging to One of Her Majesty's Ships, and shall include a subordinate and a Warrant Officer, but shall not extend to Petty and Non-commissioned Officers:

When the Words "Superior Officer" are used in this Act they shall be held to include all Officers, including Petty and Non-commissioned Officers.

Persons subject to this Act.

77. Every Person in or belonging to Her Majesty's Navy, and borne on the Books of any One of Her Majesty's Ships in Commission, shall be subject to this Act; and all other Persons

hereby made liable thereto, and all Spies, shall be triable and punishable under the Provisions of this Act.

Land Forces embarked as Passengers.

78. Her Majesty's Land Forces, when embarked on board any of Her Majesty's Ships, shall be subject to the Provisions of this Act, to such Extent and under such Regulations as Her Majesty, Her Heirs and Successors, by any Order or Orders in Council, shall at any Time or Times direct.

Other Passengers.

79. All other Persons ordered to be received or being Passengers on board any of Her Majesty's Ships shall be deemed to be Persons subject to this Act, under such Regulations as the Admiralty may from Time to Time direct.

Crews of Ships lost or destroyed.

80. When any One of Her Majesty's Ships shall be wrecked or lost or destroyed, or taken by the Enemy, such Ship shall, for the Purposes of this Act, be deemed to remain in Commission until her Crew shall be regularly removed into some other of Her Majesty's Ships of War, or until a Court-martial shall have been held, pursuant to the Custom of the Navy in such Cases, to inquire into the Cause of the Wreck, Loss, Destruction, or Capture of the said Ship.

All Officers and Crew of lost Ship may be tried by One Court,

81. When no specific Charge shall be made against any Officer or Seamen for or in respect or in consequence of such Wreck, Loss, Destruction, or Capture, it shall be lawful to try all the Officers and Crew or all the surviving Officers and Crew of any such Ship, together, before One and the same Court, and to call upon all or any of them when upon their Trial to give Evidence on Oath or Affirmation before the Court touching all or any of the Matters then under Inquiry, but no Officer or Seaman shall be obliged to give any Evidence which may tend to criminate himself.

or by separate Courts.

82. When deemed necessary by the Admiralty, or any Officer authorized to order Courts-martial, separate Courts-martial shall be held for the Trial of some One or more of such Officers and Crew for or in respect or in consequence of the Wreck, Loss, Destruction, or Capture of any such Ship.

For subsequent Offence, separate Court.

83. For any Offence or Offences committed by any Officer or Seaman, or Officers and Seamen, after the Wreck, Loss, Destruction, or Capture of any such Ship, a separate Court-martial shall be held for the Trial of such Offender or Offenders.

Pay of Crews of Ships lost or taken.

84. When any Ship of Her Majesty shall be wrecked, lost, or otherwise destroyed, or taken by the Enemy, if it shall appear by the Sentence of a Court-martial that the Crews of such Ship did, in the Case of a Ship wrecked or lost, do their utmost to save her or get her off, and in the Case of a Ship taken by the Enemy did their utmost to defend themselves, and that they have, since the Wreck, Destruction, Loss, or Capture of such Ship, behaved themselves well, and been obedient to their Officers, then all the Pay of such Crews or of such Portions of such Crews as have behaved themselves well, and been obedient to their Officers, shall be continued until the Time of their being discharged or removed into other Ships of Her Majesty, or dying.

When Ship of senior Officer

85. If the Ship of any Officer ordered to command any Two or more of Her Majesty's Ships shall be wrecked, lost, or otherwise

wise destroyed, such Officer shall continue in the Command of any Ship or Ships which at the Time of his Ship being wrecked, lost, or destroyed was or were under his Command, and it shall be lawful for such Officer to order the surviving Officers and Crew of the wrecked, lost, or destroyed Ship to join any other Ship under his Command, or to distribute them among the other Ships under his Command, if more than One, and such Officer shall, until he meets with some other Officer senior to himself, have the same Power and Authority in all respects as if his Ship had not been wrecked, lost, or destroyed.

If Ship is lost he may dispose of Officers and Crew of lost Ship.

PART VII.

Saving Clause.

86. Any Person who has committed or may commit, before this Act comes into force, any Offence against "The Naval Discipline Act, 1860," or any of the Acts or Portions of Acts thereby repealed, for which such Person has not been tried before this Act comes into force, shall be tried and punished under this Act as if such Crime or Offence had been committed against the same, but he shall not suffer any greater Punishment than he was liable to under "The Naval Discipline Act, 1860," or any of the Acts or Portions of Acts thereby repealed; and any Proceedings of any Court-martial, or any other Proceedings under "The Naval Discipline Act, 1860," which may be pending when this Act comes into force, shall be continued, and the Offender, if found guilty, shall be punished as if the Act against which he offended had not been repealed.

Trial of Offences against repealed Acts.

87. Nothing in this Act shall prejudice or affect the Right of the Admiralty to discharge any Person subject to this Act from Her Majesty's Service.

Reservation of Power of Admiralty.

88. Nothing in this Act contained shall be deemed or taken to supersede or affect the Authority or Power of any Court or Tribunal of ordinary Civil or Criminal Jurisdiction, or any Officer thereof, in Her Majesty's Dominions, in respect of any Offence mentioned in this Act which may be punishable or cognizable by the Common or Statute Law.

Act not to supersede Authority of ordinary Courts.

CAP. CXVI.

An Act for the Appropriation in favour of the Military Knights and the Churches of *Windsor* of Two of the Canonries suspended in the Chapel of *Windsor*, and for making certain Provisions respecting the Naval Knights of *Windsor*. [6th *August* 1861.]

'WHEREAS a College or Society consisting of a Warden, Canons, Priests, Alms Knights, and other Officers was 'founded by King *Edward* the Third within the Chapel of '*Windsor*, and in connexion with the Order of the Garter,

'under the Title of the Warden and College of the Free Chapel 'of *Saint George* within the Castle of *Windsor*, and Provision was 'made for the Maintenance of all the Members of the said College 'out of the Goods and Possessions with which the said Chapel 'was endowed: And whereas by an Act passed in the Twenty-'second Year of King *Edward* the Fourth, after reciting that 'the Possessions of the said College were insufficient to sustain 'the other Charges and also to bear the Charges of the same 'Knights, (in consideration whereof His said Majesty King *Edward* 'the Fourth had for the said Knights otherwise provided,) the 'said Knights were excluded from the said College, and the said 'Warden and Canons, who were thereby incorporated by the Title 'of the "Dean and Canons," were discharged from the Charge 'of maintaining the said Knights: And whereas no permanent 'Provision was made for the said Knights by King *Edward* 'the Fourth, but subsequently thereto, and in the First Year of 'the Reign of Queen *Elizabeth*, Trusts were created of certain 'Lands then vested in the said Dean and Canons by virtue of a 'Conveyance thereof previously made, and by the Indenture 'creating such Trusts, after estimating the annual Value of such 'Lands at Six hundred and sixty-one Pounds Six Shillings and 'Eightpence, and stating it to have been the Intention of the 'Crown to whom the said Lands belonged to make by the 'First Conveyance a special Foundation and Continuance of the 'said Knights, it was declared that Four hundred and thirty 'Pounds, Part of the Income of the said Lands, should be appro-'priated, amongst other things, to the Payment of Twelvepence '*per* Day for the Maintenance of the said Knights, and to 'providing them with certain Liveries, to the Intent that they 'might make a decent Appearance before their Sovereign, while 'the Dean and Canons were authorized to apply to their own Use 'the Residue of the said Income, amounting to Two hundred and 'thirty-one Pounds Six Shillings and Eightpence: And whereas 'the annual Income of the said Land has increased from the 'said Sum of Six hundred and sixty-one Pounds Six Shillings 'and Eightpence to about Fourteen thousand Pounds, but no 'Increase has been made in the Sums allowed to the said Knights: 'And whereas in pursuance of divers Acts of Parliament Eight 'Canonries in the said Collegiate Chapel of *Saint George* are 'suspended, and One Fourteenth Part of the whole Monies of 'the said Chapel are paid in respect of each suspended Canonry to 'the Ecclesiastical Commissioners, and carried over by them 'to their Common Fund: And whereas it is expedient that there 'should be made out of the Revenues of the suspended Canonries 'such Augmentation of the Salaries of the said Knights as 'would appear to be just, having regard to the Difference that 'has occurred in the Value of Money and in the annual Income 'of the said Lands since the Trusts were created, apportioning 'such Income in manner herein-before mentioned: And whereas 'the Town of *Windsor* is very populous, and insufficient Means 'are provided for the Cure of Souls therein; and it is expedient

'that

'that out of other Part of the Revenues of the said suspended 'Canonries an Addition should be made to the Endowments of 'the Churches in *Windsor*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Appropriation of Profits of Seventh Canonry to Military Knights.

1. The Dean and Canons of *Windsor* shall henceforth retain all such Share of divisible Revenues as would if this Act had not passed have been payable to the Ecclesiastical Commissioners in respect of the Canonry seventhly suspended under the Acts herein-before in that Behalf mentioned, and shall apply the same for the Benefit of the Military Knights on the Upper or Royal Foundation of the Castle at *Windsor*, in such Manner as Her Majesty may by Warrant under Her Sign Manual direct.

Appropriation of Profits of Eighth Canonry to Incumbent of Churches.

2. The said Dean and Canons shall likewise retain all such Share of divisible Revenues as would if this Act had not passed have been payable to the Ecclesiastical Commissioners in respect of the Canonry eighthly suspended under the Act herein-before in that Behalf mentioned, and shall apply the same as follows; that is to say, shall pay Three Fifths thereof to the Vicar for the Time being of the Royal Borough of *Windsor*, and the remaining Two Fifths to the Perpetual Curate of the District Church of the *Holy Trinity* in *Windsor*, in augmentation of their respective Benefices.

Mode of ascertaining Amount of Payments to be retained.

3. The Amount of the Share of divisible Revenues to be retained by the said Dean and Canons for the Purposes of this Act in respect of each of the said Canonries seventhly and eighthly suspended shall equal the Amount paid by them to the Ecclesiastical Commissioners in respect of each of the Six other suspended Canonries, and the Acceptance of such last-mentioned Amount by the Ecclesiastical Commissioners shall be conclusively binding on the Parties beneficially interested under this Act in the Proceeds of the said seventhly and eighthly suspended Canonries.

Lieutenants succeeding to Rank of Retired Commander shall continue Poor Knights.

4. 'Whereas it is now necessary that the Poor Knights of '*Windsor*, of the Foundation of *Samuel Travers*, Esquire, 'should be superannuated or disabled Lieutenants of *English* 'Men-of-War: And whereas it is expedient that Lieutenants 'being or who may be such Knights, and who may succeed to 'the Rank of Retired Commander, shall nevertheless remain and 'continue such Knights:' It is therefore hereby enacted, That Lieutenants being or who may at any Time or Times hereafter become such Knights, and who may succeed to the Rank of Retired Commander, shall notwithstanding be continued and remain such Poor Knights as if they had not succeeded to such Rank; and upon any such Lieutenants being nominated such Knights, and complying with the Regulations otherwise in force, they shall be such Knights for all Intents and Purposes whatsoever, and the said Poor Knights shall henceforth be styled Naval Knights.

CAP. CXVII.

An Act to place the Employment of Women, young Persons, Youths, and Children in Lace Factories under the Regulations of the Factories Acts. [6th *August* 1861.]

'WHEREAS it is expedient to regulate the Employment of 'Females, young Persons, Youths, and Children in Lace 'Factories, and to provide for the Education of such Children: 'And whereas an Act was passed in the Fourth Year of His late
3 & 4 W. 4. c. 103. 'Majesty, intituled *An Act to regulate the Labour of Children* 'and young Persons in Mills and Factories in the United King-'dom: And whereas an Act was passed in the Seventh Year of
7 & 8 Vict. c. 15. 'the Reign of Her present Majesty, intituled *An Act to amend* 'the Laws relating to Labour in Factories: And whereas an 'Act was passed in the Tenth Year of the Reign of Her present
10 & 11 Vict. c. 29. 'Majesty, intituled *An Act to limit the Hours of Labour of* 'young Persons and Females in Factories: And whereas an 'Act was passed in the Fourteenth Year of the Reign of Her
13 & 14 Vict. c. 54. 'present Majesty, intituled *An Act to amend the Acts relating* 'to Labour in Factories: And whereas an Act was passed in 'the Seventeenth Year of the Reign of Her present Majesty,
16 & 17 Vict. c. 104. 'intituled *An Act further to regulate the Employment of Children* 'in Factories: And whereas an Act was passed in the Twentieth
19 & 20 Vict. c. 83. 'Year of the Reign of Her present Majesty, intituled *An Act* 'for the further Amendment of the Laws relating to Labour in 'Factories:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Recited Acts to apply to Lace Factories, and to Employment of Females, &c.

1. That from and after the First Day of *August* One thousand eight hundred and sixty-two the Powers and Provisions of the herein-before recited Acts shall apply and be held to apply to Lace Factories, and to the Employment of Females, young Persons, Youths, and Children in Lace Factories, to all Intents and Purposes as completely and effectually as if such Lace Factories had been mentioned and included in the Provisions of the herein-before recited Acts or any of them, except as is herein-after mentioned.

Youths between the Age of Sixteen and Eighteen may be employed between 4 a.m. and 10 p.m., but not more than Nine Hours between those Hours.

2. Nothing in the said recited Acts contained, or in this Act, shall be held to prevent the Employment in any Lace Factory of any Youth of the Age of Sixteen and under Eighteen, between the Hours of Four of the Clock in the Morning and Ten of the Clock at Night; provided nevertheless, that if any such Youth shall be employed earlier than Six of the Clock in the Morning or later than Six of the Clock in the Evening of any Day, in every such Case it shall not be lawful to employ such Youth for a longer Period than Nine Hours on such Day; and provided also, that it shall not be lawful to employ any Youth both earlier than Six of the Clock in the Morning and later than Six of the Clock

Clock in the Evening of the same Day, nor to employ any Youth both later than Six of the Clock in the Evening of any Day and earlier than Six of the Clock in the Morning of the next succeeding Day; and in every such Case the Owner of the Lace Machine, or if such Machine is let out for Hire the Person hiring such Machine, in or about or in immediate Connexion with which such Youth shall have been so employed, shall, every Day except *Sundays*, before Twelve of the Clock at Noon, register or cause to be registered in a Book, first approved of by an Inspector, in the Form given in Schedule A. to this Act annexed, the Hours within which every such Youth shall severally have been employed during the Working Day last passed.

Agents or Workmen may be summoned for acting contrary to the Act without Knowledge of Owner, &c.

3. If any Offence shall be committed against this Act, for which the Owner or the Hirer of any Lace Machine is hereby made responsible, and it shall be made to appear to the Satisfaction of any Justices that the Offence has been committed by or under the Authority of some Agent, Servant, or Workman of the Owner or Hirer of such Machine, without the personal Consent, Concurrence, or Knowledge of such Owner or Hirer, it shall be lawful for such Justices to summon such Agent, Servant, or Workman before them to answer for such Offence; and such Agent or Servant or Workman, if convicted, shall be liable to the Penalties and Punishment for such Offence specified in the said recited Acts, and such Justices may convict such Agent or Servant or Workman in lieu of such Owner or Hirer.

Interpretation of Terms.

4. In the Construction of this Act, the Word "Lace Factories" shall be understood to mean Factories in which Machines for the Manufacture of Lace are moved by Steam or Water Power; and the Word "Lace Machine" shall be taken to mean a Lace Machine moved by Steam or Water Power; and the Words "Agent," "Servant," and "Workman," shall be taken to mean any Person receiving a Salary, Wages, Payment, or Remuneration for any Description of Service or Work performed in or about or in immediate Connexion with any such Machine; and no Agent, Servant, Workman, or other Person employed upon the dressing or finishing of Lace, or upon any other Process subsequent to the making of Lace upon the Lace Machine, shall be deemed to be included within the Provisions of this Act; and the Words "young Person" shall be taken to mean a Female of Thirteen and under Eighteen Years of Age, and a Male of Thirteen and under Sixteen Years of Age; and the Word "Youth" shall be taken to mean a Male of Sixteen and under Eighteen Years of Age.

Certain Parts of recited Acts not to extend to Lace Factories;

5. The Provisions of the said recited Acts, so far as they relate to the Recovery of lost Time, shall not extend to Lace Factories.

nor those relating to fencing Machinery.

6. The Provisions of the said recited Acts in regard to requiring Machinery to be fenced off shall not extend to Lace Factories.

SCHE-

SCHEDULE (A.)

REGISTER of the **TIME** during which every **YOUTH**, employed on any Day before 6 a.m. or after 6 p.m., has been employed during the Week ending [Sept. 10, 1862] by [John Armstrong & Co.] at the [ ] Lace Factory, situate in [Street], [Nottingham], or [in the Parish or Township of], in the County of [ ].

Progressive Number on Certificate Book.	Surname.	Christian Name.	Sept. 5. Monday.	Sept. 6. Tuesday.	Sept. 7. Wednesday.	Sept. 8. Thursday.	Sept. 9. Friday.	Sept. 10. Saturday.
			A.M. Hrs. Min. 4 to 6·30 2 30 10 „ 12 2 0 P.M. 2 to 6·30 4 30 Total 9 0	Between 6 a.m. and 6 p.m.	Between 6 a.m. and 6 p.m.	A.M. Hrs. Min. 6 to 10 - 4 0 P.M. 2 to 4·30 - 2 30 7·30 to 10 2 30 Total 9 0	A.M. Hrs. Min. 8 to 11 - 3 0 P.M. 2 to 6 - 4 0 Total 7 0	A.M. Hrs. Min. 6 to 8 - 2 0 P.M. 12 to 3 3 0 6 „ 10 4 0 Total 9 0
			A.M. Hrs. Min. 4 to 8 - 4 0 P.M. 1 to 6 - 5 0 Total 9 0	Same as Monday.	Same as Monday.	Same as Monday.	Same as Monday.	Same as Monday.
			A.M. Hrs. Min. 8 to 1 p.m. 5 0 P.M. 6 to 10 - 4 0 Total 9 0	Same as Monday.	Same as Monday.	Same as Monday.	Same as Monday.	Same as Monday.

[The Hours of actual Work are to be registered after the Manner described in the above Schedule, as the Case may be.]

East India Loan (No. 2.).

CAP. CXVIII.

An Act to enable the Secretary of State in Council of *India* to raise Money in the United Kingdom for the Service of the Government of *India*. [6th *August* 1861.]

'WHEREAS the Exigencies of the Public Service in *India* require that the Secretary of State in Council of *India* should be enabled to raise Money in the United Kingdom on the Credit of the Revenues of *India*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to the Secretary of State in Council of India to raise any Sum not exceeding Five Millions.

1. It shall be lawful for the Secretary of State in Council of *India*, at any Time or Times before the Thirtieth Day of *April* One thousand eight hundred and sixty-two, or, if Parliament be then sitting, before the End of the then Session of Parliament, to raise in the United Kingdom, for the Service of the Government of *India*, any Sum or Sums of Money not exceeding in the whole Five Millions, and such Sum or Sums may be raised by the Creation and Issue of Bonds or Debentures, or Capital Stock bearing Interest, or Annuities, or partly by one of such Modes and partly by another or others.

Bonds may be issued under Hands of Two Members of Council, countersigned, &c.

2. All Bonds issued under the Authority of this Act may be issued under the Hands of Two Members of the Council of *India*, and countersigned by the Secretary of State for *India*, or One of his Under Secretaries, or his Assistant Under Secretary, and shall be for such respective Amounts, payable after such Notice, and at such Rate or Rates of Interest as the said Secretary of State in Council may think fit.

Debentures may be issued.

3. All Debentures issued under the Authority of this Act may be issued under the Hands of Two Members of the Council, and countersigned as aforesaid, for such respective Amounts, and at such Rate or Rates of Interest, as the Secretary of State in Council may think fit, and shall be issued at or for such Prices and on such Terms as may be determined by the Secretary of State in Council.

As to Payment of Principal and Interest on Debentures.

4. All Debentures issued under the Authority of this Act shall be paid off at Par at a Time or Times to be mentioned in such Debentures respectively; and the Interest on all such Debentures shall be paid half-yearly on such Days as shall be mentioned therein; and the Principal Monies and Interest secured by such Debentures shall be payable either at the Treasury of the Secretary of State in Council in *London* or at the Bank of *England*.

As to Transfer of Debentures and Coupons.

5. All or any Number of the Debentures issued under the Authority of this Act, and all Right to and in respect of the Principal and Interest Monies secured thereby, shall be transferable either by the Delivery of such Debentures respectively, or, at the Discretion of the Secretary of State in Council, by Deed; provided that the Coupons for Interest annexed to any Debenture issued under the Authority of this Act shall pass by Delivery.

6. Any

Capital Stock and Annuities may be created and issued.

6. Any Capital Stock created under the Authority of this Act shall bear such a Rate of Interest, and any Annuities to be created under the Authority of this Act shall be at such Rate *per Centum per Annum*, as the Secretary of State in Council may think fit; and such Capital Stock and such Annuities may be issued on such Terms as may be determined by the Secretary of State in Council; and any such Capital Stock may bear Interest during such Period, and be paid off at Par at such Time, as the Secretary of State in Council may prescribe previously to the Issue of such Capital Stock; and such Annuities may be terminable at such Period as the Secretary of State in Council may prescribe previously to the Issue of such Annuities.

Transfer Books of such Capital Stock and Annuities to be kept.

7. In case of the Creation and Issue of any such Capital Stock or of any such Annuities, there shall be kept, either at the Office of the Secretary of State in Council in *London* or at the Bank of *England*, Books wherein Entries shall be made of the said Capital Stock and Annuities respectively, and wherein all Assignments or Transfers of the same respectively, or any Part thereof respectively, shall be entered and registered, and shall be signed by the Parties making such Assignments or Transfers, or, if such Parties be absent, by his, her, or their Attorney or Attornies thereunto lawfully authorized by Writing under his, her, or their Hands and Seals, to be attested by Two or more credible Witnesses; and the Person or Persons to whom such Transfer or Transfers shall be made may respectively underwrite his, her, or their Acceptance thereof; and no other Mode of assigning or transferring the said Capital Stock or the said Annuities, or any Part thereof respectively, or any Interest therein respectively, shall be good and available in Law, and no Stamp Duties whatsoever shall be charged on the said Transfers or any of them.

Annuities Personal Estate.

8. All Annuities created and issued under the Authority of this Act shall be deemed and taken to be Personal and not Real Estate, and shall go to the Executors or Administrators of the Person or Persons dying possessed thereof, interested therein, or entitled thereto, and not to the Heir-at-Law, nor be liable to any Foreign Attachment by the Custom of *London*, or otherwise.

Amount charged on Revenue of India not to exceed Five Millions.

9. The whole Amount of the Principal Monies to be charged on the Revenues of *India* under this Act shall not exceed Five Millions; and no Money shall be raised or secured under the Authority of this Act after the said Thirtieth Day of *April* One thousand eight hundred and sixty-two, or, if Parliament be then sitting, after the End of the then Session of Parliament, save for or upon the Repayment of Principal Monies previously secured under this Act as herein-after provided.

Power to raise Money for Payment of Principal Money.

10. Upon or for the Repayment of any Principal Money secured under the Authority of this Act, the Secretary of State in Council may at any Time borrow or raise, by all or any of the Modes aforesaid, all or any Part of the Amount of Principal Money repaid or to be repaid, and so from Time to Time as all or any Part of any Principal Money under this Act may require to be repaid, but the Amount to be charged upon the Revenues

Revenues of *India* shall not in any Case exceed the Principal Money required to be repaid.

Securities, &c. to be charged on Revenues of India.

11. All Bonds and Debentures to be issued under this Act, and the Principal Monies and Interest thereby secured, and all Capital Stock to be issued under this Act, and the Interest thereon, and all Annuities to be issued under this Act, shall be charged on and payable out of the Revenues of *India*, in like Manner as other Liabilities incurred on account of the Government of the said Territories.

Provisions as to Composition for Stamp Duties on India Bonds extended to Bonds, &c. under Act.

12. The Provisions contained in Section Four of the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Sixty-four, with respect to the Composition and Agreement for the Payment by the *East India* Company of an annual Sum in lieu of Stamp Duties on their Bonds, and the Exemption of their Bonds from Stamp Duties, shall be applicable with respect to the Bonds and Debentures to be issued under the Authority of this Act, as if such Provisions were here repeated and re-enacted with reference thereto.

Forgery of Debentures to be punishable as Forgery of E. I. Bonds.

13. All Provisions now in force in anywise relating to the Offence of forging or altering, or offering, uttering, disposing of, or putting off, knowing the same to be forged or altered, any *East India* Bond, with Intent to defraud, shall extend and be applicable to and in respect of any Debenture issued under the Authority of this Act, as well as to and in respect of any Bond issued under the same Authority.

Returns to be annually prepared of Monies raised on Loan, &c. and presented to Parliament.

14. Provided always, That on or before the First Day of *February* in each Year the said Secretary of State in Council shall prepare or cause to be prepared a Return of all Monies raised on Loan under the Provisions of this Act; also a Return of all Stocks, Loans, Debts, and Liabilities then chargeable on the Revenues of *India*, at home and abroad, up to the latest Period of Time to which such Return can be made out: That all such Returns shall be presented to both Houses of Parliament on or before the First Day of *February* in each Year, if Parliament is then sitting, and if Parliament is not sitting, then such Returns shall be presented within Ten Days of the First Meeting of Parliament after the First Day of *February* in each Year.

Saving Powers of the Secretary of State in Council.

15. This Act shall not prejudice or affect any Power of raising or borrowing Money vested in the said Secretary of State in Council at the Time of passing thereof.

CAP. CXIX.

An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland*: to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons Mates of the Militia; and to authorize the Employment of the Non-commissioned Officers.

[6th *August* 1861.]

[*This Act is to continue in force until September* 1, 1862.]

CAP.

CAP. CXX.

An Act to suspend the making of Lists and the Ballots for the Militia of the United Kingdom. [6th *August* 1861.]

[*All Proceedings relating to Ballot for Militia suspended until October* 1, 1862.]

CAP. CXXI.

An Act to amend the Law in relation to the Wills and Domicile of *British* Subjects dying whilst resident abroad, and of Foreign Subjects dying whilst resident within Her Majesty's Dominions. [6th *August* 1861.]

'WHEREAS by reason of the present Law of Domicile the 'Wills of *British* Subjects dying whilst resident abroad 'are often defeated, and their Personal Property administered in a 'Manner contrary to their Expectations and Belief; and it is 'desirable to amend such Law, but the same cannot be effectually 'done without the Consent and Concurrence of Foreign States:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority of the same, as follows:

No British Subject dying in a Foreign Country, with which a Convention has been made, to be deemed to have acquired a Domicile unless resident there for One Year immediately preceding his or her Death, &c., and for all Purposes of Testate or Intestate Succession shall retain Native Domicile.

1. Whenever Her Majesty shall by Convention with any Foreign State agree that Provisions to the Effect of the Enactments herein contained shall be applicable to the Subjects of Her Majesty and of such Foreign State respectively, it shall be lawful for Her Majesty by any Order in Council to direct, and it is hereby enacted, That from and after the Publication of such Order in the *London Gazette* no *British* Subject resident at the Time of his or her Death in the Foreign Country named in such Order shall be deemed under any Circumstances to have acquired a Domicile in such Country unless such *British* Subject shall have been resident in such Country for One Year immediately preceding his or her Decease, and shall also have made and deposited in a Public Office of such Foreign Country (such Office to be named in the Order in Council) a Declaration in Writing of his or her Intention to become domiciled in such Foreign Country; and every *British* Subject dying resident in such Foreign Country, but without having so resided and made such Declaration as aforesaid, shall be deemed for all Purposes of Testate or Intestate Succession as to Moveables to retain the Domicile he or she possessed at the Time of his or her going to reside in such Foreign Country as aforesaid.

No Foreign Subject dying in Great Britain or Ireland to be deemed to have acquired a Domicile unless

2. After any such Convention as aforesaid shall have been entered into by Her Majesty with any Foreign State it shall be lawful for Her Majesty by Order in Council to direct, and from and after the Publication of such Order in the *London Gazette* it shall be and is hereby enacted, that no Subject of any such Foreign Country who at the Time of his or her Death shall be resident in any Part of *Great Britain* or *Ireland* shall be deemed

under

under any Circumstances to have acquired a Domicile therein, unless such Foreign Subject shall have been resident within *Great Britain* or *Ireland* for One Year immediately preceding his or her Decease, and shall also have signed, and deposited with Her Majesty's Secretary of State for the Home Department, a Declaration in Writing of his or her Desire to become and be domiciled in *England*, *Scotland*, or *Ireland*, and that the Law of the Place of such Domicile shall regulate his or her Moveable Succession.

resident therein for One Year, &c.

3. This Act shall not apply to any Foreigners who may have obtained Letters of Naturalization in any Part of Her Majesty's Dominions.

Act not to apply to naturalized Foreigners.

4. Whenever a Convention shall be made between Her Majesty and any Foreign State, whereby Her Majesty's Consuls or Vice-Consuls in such Foreign State shall receive the same or the like Powers and Authorities as are herein-after expressed, it shall be lawful for Her Majesty by Order in Council to direct, and from and after the Publication of such Order in the *London Gazette* it shall be and is hereby enacted, that whenever any Subject of such Foreign State shall die within the Dominions of Her Majesty, and there shall be no Person present at the Time of such Death who shall be rightfully entitled to administer to the Estate of such deceased Person, it shall be lawful for the Consul, Vice-Consul, or Consular Agent of such Foreign State within that Part of Her Majesty's Dominions where such Foreign Subject shall die, to take possession and have the Custody of the Personal Property of the Deceased, and to apply the same in Payment of his or her Debts and Funeral Expenses, and to retain the Surplus for the Benefit of the Persons entitled thereto; but such Consul, Vice-Consul, or Consular Agent shall immediately apply for and shall be entitled to obtain from the proper Court Letters of Administration of the Effects of such deceased Person, limited in such Manner and for such Time as to such Court shall seem fit.

When Subjects of Foreign States shall die in Her Majesty's Dominions, and there shall be no Persons to administer to their Estates, the Consuls of such Foreign States may administer.

CAP. CXXII.

An Act to continue the Corrupt Practices Prevention Act (1854). [6th *August* 1861.]

[*Continues* 17 & 18 *Vict.* c. 102., *as amended by* 21 & 22 *Vict.* c. 87., *until September* 1, 1862, *and until the End of the next Session of Parliament.*]

CAP. CXXIII.

An Act to reduce and alter the Rate of Duty payable on Proceedings under the Statute of the Twenty first and Twenty-second Years of *Victoria*, Chapter Seventy-two, Section Eighty-eight; and for other Purposes. [6th *August* 1861.]

'WHEREAS by an Act passed in the Twenty-first and Twenty-second Years of Her Majesty, Chapter Seventy-two, Section Eighty-eight, certain Provisions are made with respect

21 & 22 Vict. c. 72.

'respect to the Rate of Duty payable on Proceedings in the '"Landed Estates Court (*Ireland*)," and it is expedient to 'reduce and alter such Rate of Duty and to amend the said 'Act:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Duty payable on Proceedings in Landed Estate Court (I.)

1. Subject as herein-after mentioned, from and after such Date as the Judges of the said Court may, with the Sanction of the Commissioners of the Treasury, by General Order appoint, a Duty shall be levied upon every Estate which shall be sold or conveyed under the said recited Act, or of which a Partition, Exchange, or Division shall be made by the Court, where no Sale is to be effected by the Court, or of which the Title shall be verified by Declaration under the said Act as aforesaid; and such Duty shall be payable in the Proportion herein-after mentioned, according to the Value of such Estate; and such Value shall, when the Estate shall be sold or conveyed, be estimated by the *bonâ fide* Purchase Money, and where the Court shall make a Partition, Exchange, or Division of Land, or shall verify the Title thereof by Declaration as aforesaid, the Value of such Estate shall be ascertained by such Means as shall be settled by a General Order of the Court; and such Duty shall be the First Charge upon the Purchase Money, and where there shall be no Sales the Duty shall be a First Charge upon the Estate conveyed, or the Estate being the Subject of such Declaration of Title as aforesaid, or the Estates which shall be the Subject of such Exchange, Partition, or Division as aforesaid; and Payment of such Duty shall be enforced by such Method as shall be determined by any General Order of the Court for that Purpose; and such Duty shall be paid so as to become and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, in such Manner as shall be determined by General Order of the Court to be approved by the Commissioners of Her Majesty's Treasury; and from and after the Time at which this Act shall come into operation, as herein-before mentioned, the Rate of such Duty shall be Ten Shillings upon every Hundred Pounds of the gross Value of every Estate which shall be sold or conveyed under the said recited Act, and the Rate of such Duty upon every Estate of which an Exchange, Partition, or Division shall be made by the Court under the said Act, when no Sale is effected by the Court, shall be Five Shillings upon every Hundred Pounds of the gross Value of such Estate, and the Rate of such Duty upon the Estate or Estates of which the Title shall be verified by Declaration under the said Act shall be Ten Shillings upon every Hundred Pounds of the gross Value thereof: Provided always, that no such Duty shall be payable in respect of any Property which shall be sold in pursuance of an Order of the Incumbered Estates Court made before the Commencement of the said recited Act; and that nothing herein contained shall alter or affect any Duty which shall have become due and payable under the said recited Act before the passing of this Act.

2. Provided

If Duties, &c. insufficient to pay Half Expense of Court, Rates may be raised.

2. Provided always, That in case the Duty authorized to be levied by this Act, together with the Sums paid to the Consolidated Fund pursuant to the Provisions of the Eighty-ninth Section of the said recited Act, shall in any Year be insufficient to pay One Half of the Expense of maintaining the said Court, it shall be lawful for the Commissioners of the Treasury to raise the Rate of any of the said Duties from Time to Time and for such Periods as they shall direct; provided that such increased Rate shall in no Instance exceed the maximum Rate of Duty authorized by the said recited Act.

Indemnity to Lieutenant Colonel John Henry Keogh.

3. 'Whereas Lieutenant Colonel *John Henry Keogh* has sustained a Loss of One thousand eight hundred and seventy-nine Pounds Six Shillings and Sevenpence by the Neglect of an Officer of the Incumbered Estates Court: And whereas it is expedient that he should be indemnified for the said Loss:' Be it therefore enacted, That the Judges of the Landed Estates Court may, with the Sanction of the Commissioners of Her Majesty's Treasury, direct the Payment to the said Lieutenant Colonel *John Henry Keogh*, from Time to Time, out of the Duties levied or to be levied under the Provisions of the said recited Act, of an Amount not exceeding the said Sum of One thousand eight hundred and seventy-nine Pounds Six Shillings and Sevenpence; and except with the Sanction of the said Commissioners, no General Order reducing the said Duties shall be issued until there shall have been received after the passing of this Act, from the Proceeds of the Difference between the existing Duties and the reduced Duties to be levied under this Act, a Sum amounting to One thousand eight hundred and seventy-nine Pounds Six Shillings and Sevenpence.

Recited Act and this Act to be construed as One Act.

4. The said recited Act, except so far as altered by this Act, shall be construed with this Act; and Words interpreted in the said recited Act shall, when used in this Act, have the same Meanings as are assigned to them respectively by the said recited Act.

CAP. CXXIV.

An Act for amending the Law relating to the Receiver for the Metropolitan Police District; and for other Purposes.
[6th *August* 1861.]

'WHEREAS by an Act passed in the Tenth Year of the Reign of His late Majesty King *George* the Fourth, Chapter Forty-four, intituled *An Act for improving the Police in and near the Metropolis*, after providing for the Establishment of a Police Force within the District to be called "the Metropolitan Police District," and including the Metropolis and its Neighbourhood, it is provided amongst other Things that it should be lawful for His Majesty to appoint a proper Person to receive all Sums of Money applicable to the Purposes of the said Act, who should be called "the Receiver for the Metro- 10 G. 4. c. 44.

'politan Police District;" and it was provided that such Receiver 'for the Time being should receive all Sums of Money applicable 'to the Purposes of the said Act, and should pay the same into 'the Hands of the Governor and Company of the Bank of *England* to an Account intituled "The Account of the Public 'Monies of the Receiver for the Metropolitan Police District," 'inserting the Name of the Receiver for the Time being, and 'shall draw on such Account in manner therein mentioned for 'all such Sums of Money as might be necessary for the Payment 'of the Expenses of carrying the said Act into execution; and 'there were in the said Act contained Powers for the Receiver to 'purchase and hold Lands, Buildings, and other Real and Personal Property for the Purposes of the Act, and it was thereby 'declared that it should be lawful for him, in obedience to 'Directions to be given by any One of His Majesty's Principal 'Secretaries of State, to sell, assign, or dispose of the whole or 'any Part of such Property as aforesaid, and to execute all such 'lawful Matters for carrying the said Act into execution as 'such Principal Secretary of State should from Time to Time 'direct: And whereas Provisions were made by the said Act for 'defraying the Expense of the said Police Force by means of 'Contributions from the several Parishes and Places within the 'Metropolitan Police District, and for the Purpose of enforcing 'such Contributions it was declared that it should be lawful for 'the Justices appointed under the said Act forthwith and so 'from Time to Time, subject to the Approbation of One of His 'Majesty's Principal Secretaries of State, to issue a Warrant 'under their Hands to the Overseers of the Poor of every such 'Parish or Place, commanding the Overseers to pay the Amount 'mentioned in the Warrant for the Purposes of the Police under 'the said Act, or to levy the same in manner therein mentioned; 'and it was further provided that the Overseers to whom any 'such Warrant as aforesaid should be issued should pay the 'Amount mentioned in the Warrant out of such Monies as therein 'mentioned to the Receiver within the Time specified for that 'Purpose, and at the Time of making any Payment to the Receiver should deliver to him a Note in Writing signed by them 'specifying the Amount so paid, which Note should be kept by 'the Receiver as a Voucher for his Receipt of that particular 'Amount, and the Receipt of the Receiver specifying the Amount 'paid to him by the Overseers should be a sufficient Discharge to 'the Overseers for such Amount, and should be allowed as such 'in passing their Accounts with their respective Parishes, Townships, Precincts, or Places: And whereas the Commissioners of 'Her Majesty's Treasury have from Time to Time granted Pensions and compassionate Allowances for the Benefit of the 'Widows or Children of Police Constables who have been killed 'or who have died from the Effects of Injuries received in the 'Execution of their Duty: And whereas it is expedient that 'further Provision should be made with respect to the Property 'vested in the Receivers for the Metropolitan Police District for

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'the Purposes of their Office, and that Provision should be made 'for charging on the Monies received by the Receiver such Pen- 'sions and compassionate Allowances as may hereafter be awarded 'to the Widows and Children of such Police Constables as afore- 'said:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Receiver constituted a Corporation Sole.

1. The Person for the Time being holding the Office of Receiver for the Metropolitan Police District shall be a Corporation Sole, by the Name of "the Receiver for the Metropolitan Police District," and by that Name shall have perpetual Succession, with a Capacity by his Official Name to acquire and hold Lands, to hold Stock in the Public Funds, Shares in any public Company, Securities for Monies, and Personal Property of every Description, to sue and be sued, to execute Deeds, using an Official Seal, to make Leases, to enter into Engagements binding on himself and his Successors in Office, and to do all other Acts necessary or expedient to be done in the Execution of the Duties of his Office.

Transfer of Property vested in previous Receivers.

2. All such Property, Real and Personal, including all Interests and Rights in, to, and out of Property, Real and Personal, and including Things in Action, as may be vested in *John Wray*, the late Receiver for the Metropolitan Police District, for the Purposes of his Office, and all such Property, Real and Personal, including all such Interests, Rights, and Things in Action as aforesaid, as may be vested in *Maurice Drummond*, the present Receiver for the Metropolitan Police District, for the Purpose of his Office, shall pass to and vest in the present Receiver for the Metropolitan Police District and his Successors, by his Official Name, for all the Estate and Interest of the said *John Wray* and *Maurice Drummond* respectively therein, to be held by the said Receiver and his Successors for the Purposes for which the same were held by the said *John Wray* and *Maurice Drummond* respectively.

Exoneration of Receiver of Metropolitan Police District.

3. The Receiver for the Time being for the Metropolitan Police District, herein-after referred to as the Receiver, shall not be personally liable for any Debt incurred or Engagement entered into by him by his Official Name in his Official Capacity, but all such Debts and Engagements shall be satisfied out of the Monies for the Time being received by him in his Official Capacity.

Alteration of Name of Account.

4. The Name of the Receiver for the Time being shall not after the passing of this Act be inserted in the Official Account kept by him with the Governor and Company of the Bank of *England*.

Power of Receiver to purchase, &c.

5. The Receiver may, by the Direction of One of Her Majesty's Principal Secretaries of State, transfer, demise, enfranchise, mortgage, or otherwise dispose of Property of any Tenure vested in him in his Official Capacity, and may purchase, take, or lease Property of any Tenure required for the Purposes of the Metropolitan Police Force or other the Purposes of his Office.

Power to grant Pensions, &c. to Widows and Children of Constables killed in the Execution of their Duty.

6. One of Her Majesty's Principal Secretaries of State may from Time to Time grant such Pensions as he thinks just to the Widows of Metropolitan Police Constables who have been killed or have died from the Effect of Injuries received in the Execution of their Duty, and may likewise make Grants by way of compassionate Allowances to the Children of any such Constables, and any Grant so made shall be payable out of any Monies for the Time being in the Hands of the Receiver; but any Grants made in pursuance of this Section of Pensions or compassionate Allowances shall not exceed the Amount which the Lords of the Admiralty are for the Time being empowered to pay to the Widows and Children of Coast Guard Officers who may have been killed or have died from the Effect of Injuries received in the Execution of their Duty.

Repeal of Part of Sect. 25 of 10 G. 4. c. 44. and enactment of new Provisions in lieu thereof.

7. There shall be repealed so much of the Twenty-fifth Section of the said Act of the Tenth Year of King *George* the Fourth, Chapter Forty-four, as provides "that the Overseers shall pay to "the Receiver the Amount mentioned in the Warrant within the "Time specified for that Purpose, and at the Time of making "any Payment to the Receiver shall deliver to him a Note in "Writing signed by them specifying the Amount so paid, which "Note shall be kept by the Receiver as a Voucher for his Receipt "of that particular Amount, and the Receipt of the Receiver "specifying the Amount paid to him by the Overseers shall be "a sufficient Discharge to the Overseers for such Amount, and "shall be allowed as such in passing their Accounts with their "respective Parishes, Townships, Precincts, or Places;" and in lieu thereof be it enacted, That the Overseers shall pay into the Bank of *England*, to the Account of the Receiver of the Metropolitan Police, the Amount mentioned in the Warrant within the Time specified for that Purpose, and that the Certificate of the Bank, signed by One of their Cashiers, specifying the Amount paid into the Bank, shall be a sufficient Discharge to the Overseers for such Amount, and shall be allowed as such in passing their Accounts with their respective Parishes, Townships, Precincts, or Places.

Payment of Monies into the Bank.

8. In addition to the Sums hereby directed to be paid by the Overseers all other Sums from Time to Time accruing payable to the Receiver shall be paid into the Bank of *England* to the Account of the Receiver of the Metropolitan Police, and the Certificate of the Bank, signed by One of their Cashiers, specifying the Amount paid into the Bank, shall be a sufficient Discharge to the Persons paying the same.

Construction of Act.

9. This Act, so far as is not inconsistent with the Purposes thereof, shall be construed as one with the said Act of the Tenth Year of King *George* the Fourth, Chapter Forty-four, and the other Acts relating to the Metropolitan Police Force.

Short Title.

10. This Act may be cited for all Purposes as "The Metropolitan Police Receiver's Act, 1861."

CAP. CXXV.

An Act to enable Overseers in populous Parishes to provide Offices for the proper Discharge of Parochial Business.

[6th *August* 1861.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Overseers and Vestries, with Consent of Poor Law Board, to purchase Offices for Use of Parish.

1. The Overseers of any Parish in *England* the Population whereof shall exceed Four thousand Persons according to the Census for the Time being, with the Consent of the Vestry, called after due Notice, and with the Consent of the Poor Law Board, signified by an Order under their Seal, may hire any Room, or purchase or take upon Lease or Exchange any Land or Building, or sell Land belonging to such Parish, and invest the Proceeds of such Sale in the Purchase of other Land and Building, or erect a suitable Building on any Land acquired as aforesaid, for the Purpose of an Office for the Transaction of the Business of the Parish.

And the Lands Clauses Consolidation Act, 1845, (except the Parts and Enactments of that Act with respect to the Purchase and taking of Lands otherwise than by Agreement, and with respect to the Recovery of Forfeitures, Penalties, and Costs,) shall, in so far as the same is consistent with this Act, be incorporated with this Act.

And for the Purposes of this Act the Expressions "the Promoters of the Undertaking," or "the Secretary," whenever used in that Act, shall respectively mean the Overseers as aforesaid; and the Expression "Tolls or Rates," whenever used in the said first-mentioned Act, shall mean Monies to be raised for the Relief of the Poor; and all Lands and Premises which shall be so purchased or taken on Lease or Exchange by the Overseers of any Parish shall be conveyed, demised, and assured to such Overseers and their Successors, in trust for the Purposes aforesaid; and the yearly Rent reserved by any Lease shall be chargeable upon and paid out of the Monies to be raised for the Relief of the Poor of any such Parish, and shall be paid by the Overseers as aforesaid of such Parish as such Rent becomes payable; and if at any Time any such Rent be not paid within Thirty Days after it so becomes payable, and after Demand thereof in Writing, the Person to whom any such Rent shall be payable may either recover the same from the Overseers as aforesaid, with Costs of Suit, by Action of Debt in any Court of appropriate Jurisdiction, or may levy the same by Distress of the Goods and Chattels of any of the Overseers as aforesaid; and such Overseers may provide the requisite Furniture and Fittings of such Room or such Building, and appoint and pay out of the Poor Rate such Persons to take care thereof, or of any Vestry Room provided under the Authority of the Fifty-seventh Chapter of the Statute of the Thirteenth and Fourteenth Years of the Reign of Her Majesty, and to aid in

the ordinary Business of the Parish, as the Vestry shall authorize and the Poor Law Board shall approve; and every such Building and Vestry Room shall be warmed and lighted and with its Furniture shall be kept in good Condition and Repair at the Cost of the Poor Rate.

Overseers may provide Depositories.

2. The Overseers of any Parish may, with the Consent of the Vestry, provide proper Depositories of all the Documents, Books, and Papers belonging to such Parish for which no Provision is otherwise made by Law, and charge the Cost thereof upon the Poor Rate.

Interpretation of Terms.

3. The Words used in this Act shall be construed in the like Manner as in the Act of the Fourth and Fifth Years of King *William* the Fourth, Chapter Seventy-six.

CAP. CXXVI.

An Act to exempt the Volunteer Forces of *Great Britain* from the Payment of Tolls. [6th *August* 1861.]

'WHEREAS Doubts have arisen how far the Exemption 'from Tolls granted to Officers and Soldiers by the Acts
3 G. 4. c. 126. 4 G. 4 c. 49. 'severally passed in the Third and Fourth Years of the late 'King *George* the Fourth, for the general Regulation of Turnpike Roads in *England* and *Scotland* respectively, and by the 'several Acts heretofore passed for punishing Mutiny and Desertion, and for better Payment of the Army and their Quarters, 'may be extended to Officers and Soldiers serving in Volunteer 'Corps: And whereas it is expedient that such Doubts should be 'removed, and the Exemption of Volunteers from Tolls should 'be more fully defined:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Horses and Carriages, &c. of Volunteers exempted.

1. No Dues, Duties, Pontage, or Toll from which Officers and Soldiers on their March or Duty, or the Horses of any Officer or Soldier on March or on Duty, are exempted by the Provisions of the recited or any other Acts, shall be demanded or taken at any Pier, Wharf, Quay, or Landing Place, or at any Turnpike or other Gate, Bar, or Bridge, for any Volunteer Officer or Soldier, or for any Horse or other Beast used or ridden by any Volunteer Officer or Soldier on his March or on Duty, or going to or returning from any Place appointed for and on the Days for Exercise, Inspection, or Review, or on other Public Duty, such Volunteer Officer or Soldier being in the Uniform of his Corps, or for any Cart, Waggon, or Carriage whatsoever, whether public or private, or for any Horse or other Beast drawing the same, employed only in carrying or conveying, or returning empty from carrying or conveying, having been employed only in carrying or conveying, any such Volunteer Officer or Soldier on his March or on Duty, or going to or returning from any Place appointed for and on the Days for Exercise, Inspection, or Review, or other Public Duty, and being in the Uniform of his Corps, or the Arms or Baggage of

of any such Volunteer Officer or Soldier, or any Ordnance or Barrack or Commissariat Stores belonging to or for the Use of Her Majesty's Volunteer Forces; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses or other Beasts, Carts, Waggons, Carriages, Arms, Baggage, or Stores along any Canal from Payment of Tolls in like Manner as other Boats, Barges, or Vessels are liable thereto, or prevent Toll being taken for conveying the said Persons, Horses or other Beasts, Carts, Waggons, or Carriages, Arms, Baggage, or Stores, upon any Railway.

Penalty for demanding Tolls from Volunteers, &c.

2. Any Toll Collector or other Person who shall take, demand, or receive any Dues, Duties, Pontage, or Toll for or in respect of any Volunteer Officer or Soldier, Horse or other Beast, Carriage, Waggon, or Cart, entitled to Exemption under this Act, shall forfeit and pay for every Offence a Sum not exceeding Five Pounds.

Penalty for personating Volunteers, &c.

3. Any Person who shall falsely and fraudulently personate or represent himself to be a Volunteer Officer or Soldier with the Intent to evade Payment of any Dues, Duties, Pontage, or Toll to which he would otherwise be liable, shall forfeit and pay for every Offence a Sum not exceeding Five Pounds.

Recovery and Application of Penalties.

4. All Penalties, Forfeitures, and Fines by this Act inflicted or authorized to be imposed shall be levied and recovered and applied in *England* and *Scotland* respectively in manner severally directed by the said recited Acts, or any Act or Acts respectively amending the same for the Time being in force.

Extent of Act.

5. This Act shall not extend to *Ireland*.

CAP. CXXVII.

An Act for limiting and regulating the Treasury Chest Fund. [6th *August* 1861.]

'WHEREAS various Sums were granted by Parliament from Time to Time, up to the Year One thousand eight hundred and thirty-two, for defraying certain Services denominated "The Extraordinaries of the Army:" And whereas a Fund now called "The Treasury Chest Fund," the available Balance of which amounted on the Thirty-first Day of *March* One thousand eight hundred and sixty to the Sum of One million three hundred and thirty thousand seven hundred and one Pounds Three Shillings and Threepence, has arisen out of the said Grants, and from the Receipt of other Monies on the Public Account, and the said Fund has been employed, under the Direction of the Commissioners of Her Majesty's Treasury, as a Banking Fund for facilitating Remittances, and for temporary Advances for Public and Colonial Services, to be repaid out of the Monies appropriated by Parliament or otherwise applicable to those Services: And whereas it is expedient to maintain in the Treasury Chest Fund a sufficient available Balance for supplying the several Treasury Chests with Monies for carrying on the Public Service, to limit the Amount of such Balance,

' and to make other Provisions in respect of the said Fund :' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Available Balance of Treasury Chest Fund to be limited as herein mentioned, &c.

1. From and after the passing of this Act, the available Balance of the Treasury Chest Fund shall be limited not to exceed the Sum of One million three hundred thousand Pounds; and in case upon the taking of the first annual Account herein-after directed, or upon the taking of any subsequent annual Account, such available Balance be found to exceed the said Sum of One million three hundred thousand Pounds, the Commissioners of Her Majesty's Treasury shall direct the Surplus of such Balance above the said Sum of One million three hundred thousand Pounds to be paid to and form Part of the Consolidated Fund.

How Commissioners of Treasury are to employ the said Fund.

2. It shall be lawful for the said Commissioners to employ from Time to Time the said Treasury Chest Fund, or the Balances in the Hands of Persons acting as Paymasters for the same Fund, in the Purchase of Specie, and Payment of Bills drawn on the said Commissioners for the Supply of the several Treasury Chests, in making temporary Advances for Public and Colonial Services, to be repaid to the Treasury Chest Fund out of the Money appropriated by Parliament to such Services, or out of such other Monies as may be applicable thereto, and in the Repayment of Monies deposited in any of the Treasury Chests abroad on account of the Public Service: Provided always, that no Expenditure whatsoever shall be finally defrayed out of or permanently charged upon the said Fund.

Annual Abstract Account of said Fund to be made by Commissioners of Audit, and laid before Parliament, with Returns of Special Warrants and Account of Claims outstanding.

3. The Commissioners for auditing the Public Accounts shall prepare an annual Abstract Account, made up to and including the Thirty-first Day of *March* in every Year, showing the Sums received into and paid out of the several Treasury Chests in the Financial Year ending such Thirty-first Day of *March*, and the Balances remaining on that Day in the Hands of each of the Persons acting as Paymasters for the Treasury Chest Fund; and such Account shall also show the Liabilities and Assets of the said Fund, and the available Balance thereof, on the said Thirty-first Day of *March*; and there shall be prepared by the Commissioners for auditing the Public Accounts Two Returns, showing the Special Warrants, if any, which may have been issued by Officers commanding Her Majesty's Troops at Foreign Stations for Advances or Payments from Treasury Chests not contemplated in the Regulations for the ordinary Service at the Stations; the one such Return being for the Period embraced in the said Account, and the other for the Period between the Termination of the Account and the Thirty-first Day of *December* following. There shall also be prepared by the said Commissioners an Account showing all the Debts due on the closing of the annual Abstract Account to the Treasury Chest Fund, and all Claims upon that Fund then outstanding, which were so due and out-standing on the Thirty-first Day of *March* of the Financial Year preceding the Year embraced in the Account; and the Commissioners for auditing

auditing the Public Accounts shall transmit the said annual Abstract Account, and the said Returns of Special Warrants and Account of outstanding Claims, to the Commissioners of Her Majesty's Treasury, who shall annex to the said Returns and Account of Claims such Explanations or Observations as they may think fit, and shall lay the whole of the Documents so prepared before the House of Commons on or before the Thirty-first Day of *March* in the Year following the Termination of such Abstract Account, if Parliament be sitting, or if Parliament be not sitting, then within One Week after the next Meeting of Parliament.

CAP. CXXVIII.

An Act to confirm certain Provisional Orders under the Local Government Act (1858), relating to the Districts of *Plymouth*, *Weston-super-Mare*, *Llanelly*, and *Llandilo*; and for other Purposes in relation thereto. [6th *August* 1861.]

'WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of the Local Government Act, 1858, duly made certain Provisional Orders which are contained in the Schedule to this Act annexed; and it is provided by the aforesaid Local Government Act that no such Orders shall be of any Validity whatever until they shall have been so confirmed by Parliament; and it is expedient that the said Orders should be so confirmed, and further Provision made in relation thereto:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Confirming Provisional Orders in Schedule, except Part of Order relating to Weston-super-Mare.

1. The Provisional Orders contained in the Schedule hereunto annexed, except so much of the Provisional Order relating to the District of *Weston-super-Mare*, and bearing Date the Fifteenth Day of *July* One thousand eight hundred and sixty-one, as repeals the Fourteenth, Forty-second, Forty-third, and Forty-fourth Sections of "The *Weston-super-Mare* Improvement and Market Act, 1851," recited in the said last herein-before recited Provisional Order, shall from and after the passing of this Act be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act.

Limitation of Rates to 3*s.* 6*d.* in the Pound, except with Consent of Majority of Ratepayers.

2. The *Weston-super-Mare* Improvement Commissioners, acting as the Local Board within the District of *Weston-super-Mare*, shall have Power and Authority to levy Rates or Assessments within the District of such Local Board to an Amount not exceeding in the whole in any One Year the Sum of Three Shillings and Sixpence in the Pound on the annual Value of Houses, Buildings, and Property other than Land within the said District: Provided always, that if it shall at any Time appear that the said Sum of Three Shillings and Sixpence in the Pound is not sufficient it shall be lawful for the Commissioners aforesaid acting as such Local Board, with the Consent of the Majority of Ratepayers present

present at the annual Meeting for the Settlement of Accounts to be expressed in the same Manner as Consent to the Adoption of the Local Government Act, to increase the Rates beyond the Sum aforesaid: Provided also, that Notice of the Intention of the said Commissioners, acting as such Local Board to make any such Increase shall be given by them One Month previous to such annual Meeting, by Advertisement in some Newspaper printed or circulated within the District of the said Local Board.

Existing Mortgages to have Priority of future Mortgages.

3. All Assignments or Mortgages already granted by the Improvement Commissioners of *Weston-super-Mare* in pursuance of the Local Acts recited in the Provisional Order in the Schedule to this Act annexed relating to the District of *Weston-super-Mare*, and bearing Date the Fifteenth Day of *July* One thousand eight hundred and sixty-one, shall, during the Continuance thereof, have Priority over all Mortgages created by virtue of "The Local Government Act, 1858."

Act incorporated with 21 & 22 Vict. c. 98.

4. This Act shall be deemed to be incorporated with "The Local Government Act, 1858," and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

5. In citing this Act in any other Act, or in any Proceeding, Instrument, or Document whatsoever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1861, (No. 2.)"

SCHEDULE of Provisional Orders referred to in the preceding Act.

1. PLYMOUTH.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands for Street Improvements otherwise than by Agreement.
2. WESTON-SUPER-MARE.—Repealing and altering Parts of Local Acts within the District; consolidating certain Debts incurred under such Acts; and altering the Powers of rating within the said District.
3. WESTON-SUPER-MARE.—Altering the Boundaries of the District of Weston-super-Mare, as constituted for the Purposes of the Local Government Act, 1858.
4. LLANELLY.—Extending the Borrowing Powers of the Llanelly Local Board of Health.
5. LLANDILO.—Extending the Borrowing Powers of the Llandilo Local Board.

PLYMOUTH.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Plymouth Local Board of Health, for the Purchase of Lands by the said Board for Street Improvements.—Local Government Act, 1858.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Plymouth, in the County of Devon, by the Council of the said Borough, being the Local Board of Health in and for the District

trict of the said Borough, to which the Public Health Act, 1848, was duly applied by a Provisional Order of the General Board of Health, confirmed by the Public Health Supplemental Act, 1854, have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to purchase certain pieces of land and certain buildings for the purpose of widening, opening, enlarging, and improving certain streets and highways in the said Borough, such land and buildings being all situate within the District of the said Local Board of Health.

And whereas the said Petition duly set forth in the Schedule annexed thereto the several pieces of land and the several buildings intended to be taken by such Board for such purpose, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such lands and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such Petition, Her Majesty's Principal Secretary of State for the Home Department directed Henry Austin, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That, from and after the passing of any Act of Parliament confirming this Order,—

1.—The Mayor, Aldermen, and Burgesses of the Borough of Plymouth, by the Council of the said Borough, being the Local Board of Health for the District of that Borough, shall be empowered to put in force, with reference to the land referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement.

Given under my Hand this Fifteenth day of July 1861.

(Signed) G. C. Lewis.

SCHE-

SCHEDULE referred to in the preceding Order.

The Pieces of Land and the Buildings proposed to be taken as described in the foregoing Order are the following :—

Description of Lands, Messuages, Buildings, and Premises.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
1. "The White Lion" Public House, Courtlage, Stable, Skittle Alley, and Outbuildings, No. 26 in Tavistock Street, containing by Admeasurement 2,620 Feet superficial Measure.	Grace Blatchford	James Rew	Richard Rowe.
2. Dwelling House, Shop, Courtlage, and Outbuildings, No. 27 in Tavistock Street, containing by Admeasurement 1,184 Feet superficial Measure.	Grace Blatchford		Josiah George Nike.
3. Dwelling House, Shop, Courtlage, and Outbuildings, No. 28 in Tavistock Street, containing by Admeasurement 1,000 Feet superficial Measure.	John Millman and Alfred Millman.		Samuel Brooking Knight.
4. Dwelling House, Shop, and Courtlage, No. 29 in Tavistock Street, containing by Admeasurement 703 Feet superficial Measure.	John Bickley		John Bickley.
5. Dwelling House, Three Shops, Cart House, Stable, Stores, and Courtlage, No. 4 in Tavistock Street, containing by Admeasurement 4,608 Feet superficial Measure.	William Harris		John Langman. Thomas Cann.
6. "Bedford Wine and Spirit Cellars" Public House, Courtlage, and Brewhouse, No. 3 in Tavistock Street, containing by Admeasurement 2,100 Feet superficial Measure.	John Sloggett	George Venecombe	George Venecombe.
7. "The Turk's Head" Public House, Courtlage, and Outbuildings, No. 1 in St. Andrew Street, containing by Admeasurement 1,552 Feet superficial Measure.	Robert Scott		Nicholas Hesem.
8. Dwelling House, Shop, and Courtlage, No. 28 in Notte Street, containing by Admeasurement 777 Feet superficial Measure.	John Randle		William Whitfill. John Knapman. Samuel Masters. Elizabeth Cuddeford.
9. Dwelling House, Two Shops, Courtlage, and Outbuildings, No. 29 in Notte Street, containing by Admeasurement 1,950 Feet superficial Measure.	Francis Gloyne		Samuel Southcott. Francis Gloyne. John Pike. William Ellis.
10. Dwelling House, Two Shops, Courtlage, and Outbuildings, No. 31 in Notte Street, containing by Admeasurement 1,878 Feet superficial Measure.	George Hearn		Francis Nicholas. William Frederick Bolt. Robert Tichband. John Burrows. Thomas Higman. Elizabeth Horswill. Robert Drake. Thomas Creak. Mary Davis. Stephen Crocker.
11. Dwelling House, Shop, Courtlage, and Outbuildings, No. 32 in Notte Street, containing by Admeasurement 863 Feet superficial Measure.	Mary Ann Henry		Richard Hammet. Ellen Hayes. John Magrath. William Jessoff. Charles Howell. Jane Macarthy. Mary Vennor.
12. Dwelling House and Courtlage, No. 33 in Notte Street, containing by Admeasurement 378 Feet superficial Measure.	Elias Watts		Mary Ann Millman.

Local Government Supplemental (No. 2.)

Description of Lands, Messuages, Buildings, and Premises.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
13. Ale and Porter Stores and Offices, Nos. 35 and 36 in Notte Street, containing by Admeasurement 4,146 Feet superficial Measure.	George King	Messrs. Allen & Co.	Messrs. Allen & Co.
14. Dwelling House, Three Shops, Passage, Courtlage, and Outbuildings, No. 1 in Russell Street, containing by Admeasurement 1,060 Feet superficial Measure.	George Greenham John Hicks		Joseph Hundrey. William Brooks. Ann Wotton.
15. Dwelling House, Two Shops, and Courtlage, No. 46 in Frankfort Street, containing by Admeasurement 304 Feet superficial Measure.	George Greenham John Hicks		John Wolland. John Beer. James Gale. Sarah Jane Hundrey. Elizabeth Petherick.
16. "Queen's Head" Public House, Courtlage, and Outbuildings, No. 45 in Frankfort Street, containing by Admeasurement 921 Feet superficial Measure.	George Ryall		Thomas Charlick.
17. Dwelling House, Shop, Courtlage, and Outbuildings, No. 48 in Frankfort Street, containing by Admeasurement 1,860 Feet superficial Measure.	Samuel Foster	Messrs. Cook & Sons	Messrs. Cook & Sons.
18. Dwelling House, Shop, Courtlage, and Outbuildings, No. 42 in Frankfort Street, containing by Admeasurement 1,548 Feet superficial Measure.	William Brooks Bartlett. Rev. I. H. Parlby.	William Brooks Bartlett.	William Brooks Bartlett.
19. "Coal Exchange Inn" Public House and Outbuildings, No. 19, Parade, adjoining Sausage Lane, containing by Admeasurement 1,000 Feet superficial Measure.	Mary Gregory	George Hearn	George Hearn.
20. Dwelling House and Cart House, No. 16 in Southside Street, adjoining Sausage Lane, containing by Admeasurement 644 Feet superficial Measure.	Mary Sole, Trustee for James Joll and Matthew Stranger Joll, or other the Parties interested.		Joseph Baker. Ann Symons. Amy Worn. Peter Wilton.
21. Dwelling House, Shop, and Courtlage, No. 15 in Southside Street, containing by Admeasurement 528 Feet superficial Measure.	John Pardew		John Welsford.
22. Coal and Hemp Stores, No. 14 in Southside Street, containing by Admeasurement 3,158 Feet superficial Measure.	Sarah Stanbury		Thomas Pollard. George Rowe.
23. Stable and Stores, No. 13 in Southside Street, containing by Admeasurement 372 Feet superficial Measure.	Sarah Stanbury		Henry Callard.
24. Dwelling House, Shop, and Courtlage, No. 12 in Southside Street, containing by Admeasurement 1,372 Feet superficial Measure.	James Thorne		John Spicer. Elizabeth Skinner. James Maddock. William Fry. Ann Roads. Jane Dann. Jane Jenkins. Samuel Blagdon.
25. Dwelling House, Shop, and Courtlage, No. 27 in Southside Street, containing by Admeasurement 578 Feet superficial Measure.	William Rowland		Solomon Zeffert. Thomas Heydon.
26. Dwelling House, Shop, and Courtlage, No. 28 in Southside Street, containing by Admeasurement 1,080 Feet superficial Measure.	Henry Shapcott		Robert Ellis.
27. Dwelling House, Shop, Courtlage, and Outbuildings, No. 10 in Drake Street, containing by Admeasurement 1,770 Feet superficial Measure.	Charles Taylor	Alfred Cotton Penrose.	Alfred Cotton Penrose.
28. Dwelling House, Shop, Courtlage, and Outbuildings, No. 9 in Drake Street, containing by Admeasurement 1,725 Feet superficial Measure.	Charles Taylor	Messrs. Tuckett and Sons.	Messrs. Tuckett and Sons.

Local Government Supplemental (No. 2.)

Description of Lands, Messuages, Buildings, and Premises.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
29. Shop, No. 43 in Cobourg Street, adjoining Gloucester Lane, containing by Admeasurement 220 Feet superficial Measure.	Thomas Shortridge	- - - -	Thomas Shortridge. Richard Shortridge.
30. Garden and Passage Way in front of Dwelling House, No. 14, Oxford Place, containing by Admeasurement 240 Feet superficial Measure.	Mary Emma Vosper	- - - -	Herbert Adams.
31. Garden in Front of the "Valletort Inn" Public House, No. 15, Oxford Place and Passage Way adjoining, containing by Admeasurement 516 Feet superficial Measure.	William Barons -	Samuel Ball -	Samuel Ball.
32. Garden and Passage Way in Front of Dwelling House, No. 1, Claremont Street, containing by Admeasurement 252 Feet superficial Measure.	John May - -	- - - -	John May.
33. Garden and Passage Way in Front of Dwelling House, No. 2, Claremont Street, containing by Admeasurement 228 Feet superficial Measure.	Philip Trant -	- - - -	Patrick Mulhall.
34. Stable and Store at the South End of Hoe Street adjoining the Citadel Road, and belonging to the Premises known as "Hoe Gate House," containing by Admeasurement 670 Feet superficial Measure.	Fanny Grant Wise -	- - - -	Fanny Grant Wise.

WESTON-SUPER-MARE.

Provisional Order repealing and altering Local Acts in force within the District of Weston-super-Mare, consolidating certain Debts incurred under such Acts, and altering the Powers of Rating within the said District.—Local Government Act, 1858.

Whereas the Weston-super-Mare Improvement Commissioners, appointed under and by virtue of the Weston-super-Mare Improvement and Market Act, 1842, and the Weston-super-Mare Improvement and Market Act, 1851, and acting as the Local Board within the District of Weston-super-Mare aforesaid, as comprised within the operation of the said Local Acts, have, under the provisions of the Local Government Act, 1858, presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the repeal of certain sections of the herein-before recited Local Acts, as set forth and specified in such Petition, and that such alterations may be made in the herein-before recited Local Acts, and such powers and authorities vested in the Commissioners acting as such Local Board as aforesaid, as may be necessary to enable them to carry out the objects sought by such Petition.

And whereas, in pursuance of the said Local Government Act, inquiry has been directed and held in the said District in respect of the several matters mentioned in the said Petition, and report has been made to me thereon by Henry Austin, Esquire, the Inspector appointed for the purpose.

And

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct—

That, from and after the passing of any Act of Parliament confirming this Order—

1. The parts of the Weston-super-Mare Improvement and Market Act, 1842 (5 Vict. sess. 2. cap. 20.), and of the Weston-super-Mare Improvement and Market Act, 1851 (14 & 15 Vict. cap. 65.), specified in the Schedule hereunto annexed, shall be repealed.
2. The unrepealed parts of the aforesaid Local Acts, so far as they are not repugnant to or inconsistent with the said Local Government Act or this Order, or any byelaw which shall be lawfully made under the said herein-before last-mentioned Act, shall be incorporated with the said Local Government Act, as adopted by the aforesaid District of Weston-super-Mare, and the unrepealed parts of the said Local Acts shall be in force within the whole of the said District under the Local Government Act, 1858, and all matters arising under the said Local Acts shall be dealt with as matters arising under the said Local Government Act, 1858.

Given under my hand this Fifteenth day of July 1861.

(Signed) G. C. Lewis.

SCHEDULE to which this Order refers.

The parts of the Weston-super-Mare Improvement and Market Act, 1842 (5 Vict. sess. 2. c. 20.), herein-before referred to in this Order, to be repealed, are the following; that is to say,

The sections numbered in the copies of the said Act as printed by Her Majesty's Printers:—20 to 72, 74 to 141, 144 to 201 all inclusive; 221 and 222, 224 to 228 both inclusive; 232, 234 to 345, both inclusive.

Also the sections numbered in the copies of the Weston-super-Mare Improvement and Market Act, 1851, as printed by Her Majesty's Printers:—5 to 7, 12 to 16, 18 to 39, 42 to 44, all inclusive, and 46.

WESTON-SUPER-MARE.

Provisional Order for altering the Boundaries of the District of Weston-super-Mare, in the County of Somerset, as constituted under the Local Government Act, 1858.—Local Government Act, 1858.

Whereas the Weston-super-Mare Improvement Commissioners appointed under and by virtue of the Weston-super-Mare Improvement and Market Act, 1842, and Weston-super-Mare Improvement and Market Act, 1851, and acting as the Local Board

Board within the District of Weston-super-Mare aforesaid, as comprised within the operation of the said Local Acts, under and for the purposes of the Local Government Act, 1858, have duly presented to me, as one of Her Majesty's Principal Secretaries of State, a Petition under the Provisions of the 77th Section of the Local Government Act, 1858, praying for an alteration of the boundaries of the said District of Weston-super-Mare, by the addition to and incorporation with the aforesaid District of that portion of the Parish of Weston-super-Mare, in the County of Somerset, which is known as the White Cross Estate.

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the matters mentioned in the said Petition, and report has been made to me thereon by Henry Austin, Esquire, the Inspector appointed for the purpose.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct,—

That, from and after the passing of any Act of Parliament confirming this Order—

1.—The District of the aforesaid Local Board of Weston-super-Mare, in the County of Somerset aforesaid, be altered by the addition to the present existing District of all that portion which is coloured yellow upon the plan of the Parish of Weston-super-Mare, in the County of Somerset, forwarded to me, as one of Her Majesty's Principal Secretaries of State as aforesaid, by the hereinbefore named Commissioners on the Third day of November 1860, and which comprises all the land included within a line commencing at a point which forms the extreme south-east corner of the present boundary of the district of the Local Board, 780 links from the east side of the Uphill Road; and extending thence along the southern boundary of the Parish of Weston-super-Mare for a distance of 3,254 links to the east side of a road called the "Uphill Drove," and from thence along the eastern side of the Uphill Drove for a distance of 1,673 links to the fence separating the property of Mrs. Synge from that of the Weston-super-Mare Commissioners; and from thence along the said fence for a distance of 524 links in an easterly direction; and from thence for a distance of 151 links along the east boundary of the property of the Weston-super-Mare Commissioners, in a northerly direction; thence in an easterly direction for a distance of 47 links; and thence in a northerly direction for a distance of 683 links, to a point on the north side of a road, called "The Rector's Way," 358 links

links from its junction with the Uphill Drove; and from thence along the north side of the said road, in a south-easterly direction, for a distance of 776 links; and from thence, extending in a northerly direction for a distance of 1,282 links, along the fence to the point where it meets the southern side of the Weston-super-Mare Branch Railway; and from thence extending in a north-westerly direction along the southern side of the said railway for a distance of 528 links; and from thence extending across the railway in a northerly direction for a distance of 1,755 links to the north side of a Highway, called the Locking Road, to a point where it again unites with the present boundary of the district of the said Local Board, 390 links eastward of the junction of the Locking Road with the Ashcombe Road.

2.—The District altered as aforesaid be styled the District of Weston-super-Mare, and at every election of members of the Local Board aforesaid which shall take place after the passing of the Act of Parliament confirming this Order, the members to be elected shall be elected for the whole of the District as altered by this Order, and by the votes of owners of, and ratepayers in respect of, property situate within the District so constituted.

Given under my Hand this Fourth day of May 1861.

(Signed) G. C. Lewis.

LLANELLY.

Provisional Order for extending the Borrowing Powers of the Llanelly Local Board of Health.—Local Government Act, 1858.

Whereas the Public Health Act, 1848, has been duly applied to the District of the Borough of Llanelly in the County of Carmarthen.

And whereas the Local Board of Health for the said District of Llanelly have duly borrowed, under the Provisions of that Act and of the Local Government Act, 1858, sums, amounting in the whole to Fifteen thousand five hundred Pounds, to defray the expense of works for the supply of water to the said District, being works of a permanent nature under the aforesaid Acts; and whereas a further sum will be required to carry out and complete the said works and to carry out other works of a permanent nature, but such further sum, with the herein-before mentioned 15,500*l.*, will exceed the assessable value for one year of the premises assessable under the said Acts within such District.

And whereas the said Board have now, under the authority of the 78th Section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for powers to borrow for such works, on mortgage of the rates leviable by the aforesaid Local Board of Health under the powers of the Public Health Act, 1848, and the Local Government Act, 1858, a

sum or sums which, with the amount already borrowed, shall not exceed in the whole two years assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed.

And whereas after due inquiry and report by William Ranger, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State as aforesaid, I do hereby, by this Provisional Order, under my hand, direct as follows:—

That, from and after the passing of any Act of Parliament confirming this present Order,—

1.—The Local Board of Health for the District of Llanelly in the County of Carmarthen shall have power and authority to borrow or reborrow, for the execution and completion of the aforesaid works of a permanent nature within such District, and on mortgage of the rates leviable by them under the aforesaid Acts, a sum or sums which, together with the sums already sanctioned to be borrowed by the Local Board aforesaid, shall not exceed in the whole two years assessable value of the premises assessable under such Acts within the aforesaid District; the several aforesaid sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my Hand this Fifteenth day of July 1861.

(Signed) G. C. Lewis.

LLANDILO.

Provisional Order for extending the Borrowing Powers of the Llandilo Local Board.—Local Government Act, 1858.

Whereas the Local Government Act, 1858, has been duly adopted by the District of the Town and Villa of Llandilo in the Parish of Llandilofawr in the County of Carmarthen.

And whereas the Local Board for the said District of Llandilo propose to borrow, under the Provisions of the Local Government Act, 1858, the sum of Two thousand three hundred Pounds, to defray the expense of works for the Supply of Water to and Sewerage of the said District, being works of a permanent nature under the aforesaid Act; but as such sum will exceed the assessable value for one year of the premises assessable under the said Act within such District, the said Board have, under the authority of the 78th Section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for powers to borrow for such works, on mortgage of rates leviable by the aforesaid Local Board under the powers of the Local Government Act, 1858, a sum or sums which shall not exceed in the whole two years assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed.

And whereas after due inquiry and report by William Ranger, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State as aforesaid, I do hereby, by this Provisional Order, under my Hand, direct as follows:—

That, from and after the passing of any Act of Parliament confirming this present Order,—

1.—The Local Board for the District of Llandilo in the County of Carmarthen shall have power and authority to borrow, for the execution and completion of the aforesaid works of a permanent nature within such District, and on mortgage of the rates leviable by them under the aforesaid Act, a sum which shall not exceed in the whole two years assessable value of the premises assessable under such Act within the aforesaid District; the aforesaid sum to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my Hand this Fifteenth day of July 1861.
(Signed) G. C. Lewis.

CAP. CXXIX.

An Act to enable Her Majesty to accept the Services of Officers of the Merchant Service as Officers of Reserve to the Royal Navy. [6th *August* 1861.]

'WHEREAS it is expedient to enable Her Majesty to avail 'Herself of the Services of certain Officers of the Mer- 'chant Service of the United Kingdom, and of the Colonies and 'Dependencies of *Great Britain*, as Officers of Reserve to the 'Royal Navy:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Her Majesty may accept Services of Masters, &c., of Merchant Service.

1. It shall be lawful for Her Majesty to accept the Offers of any Persons who have been, are, or shall be Masters or Mates in the Merchant Service aforesaid to serve as Officers of Reserve to the Royal Navy, upon such Terms and Conditions as to Her Majesty may from Time to Time seem fit and proper.

Power to Admiralty to enrol Officers of Reserve to the Royal Navy.

2. It shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to enrol as Officers of Reserve to the Royal Navy so many of such Persons as aforesaid as the said Lord High Admiral or the said Commissioners may deem expedient, under and subject to such Rules, Orders, and Regulations as the said Lord High Admiral or the said Commissioners may, with the Consent of Her Majesty in Council, from Time to Time establish; and such Persons so enrolled shall bear such Rank in respect to the Officers of the Royal Navy as the said Lord High Admiral or the said Com-

missioners shall at any Time or Times direct, and shall, when called out for Training or Exercise, or on actual Service, be subject to all the Laws, Regulations, and Customs for the Time being in force for the Government and Discipline of the Royal Navy.

Officers of Reserve or their Widows entitled to same Pay and Pensions as Officers and Widows of Officers of Royal Navy.

3. Such Persons so enrolled as Officers of Reserve shall be entitled to receive such Pay and Allowances as the said Lord High Admiral or the said Commissioners, with the Consent of Her Majesty in Council, may from Time to Time appoint, and if such Persons shall be disabled, or shall receive Hurts or Wounds in actual Service, they shall be entitled to the same Allowances or Pensions for the same, and the Widows of such of them as may be killed in Action, or die from Wounds or Accidents resulting from the Performance of their Duty, shall receive the same Pensions as the Widows of Officers of the Royal Navy of corresponding Rank would be entitled to receive under similar Circumstances.

CAP. CXXX.

An Act for amending an Act passed in the last Session of Parliament to amend the Law concerning the making, keeping, and Carriage of Gunpowder and Compositions of an explosive Nature, and concerning the Manufacture, Sale, and Use of Fireworks. [6th *August* 1861.]

'WHEREAS by an Act passed in the Session holden in the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and thirty-nine, intituled *An Act to amend the Law concerning the making, keeping, and Carriage of Gunpowder and Compositions of an explosive Nature, and concerning the Manufacture, Sale, and Use of Fireworks*, there are vested in the Justices of the Peace in General Quarter Sessions assembled certain Powers of licensing Places for making and keeping Gunpowder, Percussion Caps, Ammunition, and other explosive Substances, and for granting Licences to Persons to sell Fireworks: And whereas it is expedient that all Powers of licensing by the said Act given to the Justices in Quarter Sessions should be transferred to the Justices in Petty Sessions assembled:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

23 & 24 Vict. c. 139.

Transfer of licensing Powers.

1. All Powers of granting Licences by the said Act given to Justices of the Peace at their General Quarter Sessions shall be transferred to and vested in the Justices in Petty Sessions assembled, and the Justices shall hold Special Petty Sessions of the Peace in their several Divisions for granting such Licences at such Times as they think expedient; and all Powers thereby transferred shall be exercised by the Justices in Petty Sessions assembled within their respective Divisions in the same Manner in which the same are by the said Act required to be exercised by

by the Justices at their General Quarter Sessions, or as near thereto as Circumstances will admit.

Table of Fees.

2. The Justices in each Petty Sessional Division may, with the Sanction of One of Her Majesty's Principal Secretaries of State, regulate the Mode in which Applications for Licences under this Act are to be made, and make a Scale of Fees to be charged in respect of such Licences.

Construction of Act.

3. This Act, so far as is consistent with the Tenor thereof, shall be construed as One with the said Act of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and thirty-nine.

Section 18. of recited Act to apply to Manufacturers of Safety Fuzes.

4. 'And whereas it is necessary for the Manufacturers of 'Safety Fuzes to have and keep for the Purpose of such Manu- 'facture large Quantities of Gunpowder:' Be it enacted, That such Manufacturers shall be within and subject to all the Provisions of the Eighteenth Section of the said recited Act, in like Manner as the Manufacturers of Cartridges, Fireworks, and Rockets; and further, that it shall be lawful for such Manufacturers of Safety Fuzes to keep exclusively for the Use of such Manufacture the respective Quantities of Gunpowder mentioned in the Nineteenth Section of the said Act, in like Manner as the same may be kept for the Use of any Mine, Quarry, or Colliery, but subject to all the Restrictions and Conditions mentioned and provided in the said Section.

CAP. CXXXI.

An Act to continue the Act concerning the Management of Episcopal and Capitular Estates in *England*, and further to amend certain Acts relating to the Ecclesiastical Commissioners for *England*. [6th *August* 1861.]

'WHEREAS an Act was passed in the Session holden in 'the Fourteenth and Fifteenth Years of Her Majesty, 14 & 15 Vict. 'Chapter One hundred and four, "to facilitate the Management c. 104. 'and Improvement of Episcopal and Capitular Estates in *Eng-* '*land*," which Act was limited in Duration to Three Years from 'the End of the then Session of Parliament; and by the Act of 17 & 18 Vict. 'the Session holden in the Seventeenth and Eighteenth Years of c. 116. 'Her Majesty, Chapter One hundred and sixteen, the said Act 'of the Fourteenth and Fifteenth Years of Her Majesty was 'amended, and, as so amended, has, by the last-mentioned and 'other Acts, and ultimately by an Act of the Session holden in 22 & 23 Vict. 'the Twenty-second and Twenty-third Years of Her Majesty, c. 46. 'Chapter Forty-six, been further amended and continued until 'the First Day of *January* One thousand eight hundred and 'sixty-one, and until the End of the then next Session of Parlia- 'ment, and the said first-mentioned Act was also further amended 'by the Act of the Twenty-third and Twenty-fourth Years of 23 & 24 Vict. 'Her Majesty, Chapter One hundred and twenty-four: And c. 124. 'whereas it is expedient that said Act of the Fourteenth and 'Fifteenth Years of Her Majesty, as amended as aforesaid, should 'be further continued, and that certain Acts relating to the

'Ecclesiastical Commissioners for *England* should be amended:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Estates of the Archdeaconry of Rochester vested in the Commissioners.

1. 'Whereas under the Provisions of an Order of Her Majesty 'in Council, bearing Date the Eighth Day of *August* One thou-'sand eight hundred and forty-five, and published in the *London* '*Gazette* on the Twentieth Day of the same Month, made in pur-'suance of an Act passed in the Sixth and Seventh Years of 'His late Majesty King *William* the Fourth, Chapter Seventy-'seven, the Archdeaconry of *Rochester* became on the last 'Avoidance thereof (which took place on the Decease, on or 'about the Thirteenth Day of *March* One thousand eight 'hundred and fifty-nine, of the Venerable *Walker King*, the 'Holder of the said Archdeaconry,) and now is suppressed, but 'the said Act does not contain any Provision for dealing with 'the Estates and Endowments formerly belonging to the same 'Archdeaconry (in addition to the Canonry in the Cathedral 'Church of *Rochester* which was annexed to and held therewith), 'and the Ownership of such Estates is now in abeyance:' All the Lands, Tenements, Hereditaments, and Endowments heretofore belonging to or enjoyed with the said Archdeaconry, and all Estate, Right, Title, and Interest therein and thereto, shall become and be transferred to and absolutely vested in the said Commissioners for the Purposes of their Common Fund, and be subject to the Provisions applicable to other Hereditaments vested in them, and that they shall be entitled to the Rents, Profits, and Proceeds thereof as from the Day of the Date of the Avoidance of the said Archdeaconry as aforesaid.

14 & 15 Vict. c. 104., continued until Jan. 1, 1863.

2. The said Act of the Fourteenth and Fifteenth Years of Her Majesty, so amended as aforesaid, shall continue in force until the First Day of *January* One thousand eight hundred and sixty-three, and until the End of the then next Session of Parliament.

CAP. CXXXII.

An Act for consolidating and amending the Law relating to Industrial Schools in *Scotland*. [6th *August* 1861.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Short Title.

1. This Act may be cited for all Purposes as "The Industrial Schools (*Scotland*) Act, 1861."

Limits of Act.

2. This Act shall extend to *Scotland* only.

Interpretation of Terms.

3. The following Words and Expressions shall have the Meanings hereby assigned to them respectively, unless there be something in the Subject or Context repugnant to such Construction:

"Managers"

"Managers" shall include the Directors, Managers, or other Persons who shall have the Management or Control of any such Industrial School as is herein-after mentioned:

"Parent" shall include any Person legally liable to maintain a Child:

"Magistrate" shall include any Sheriff, Sheriff Substitute, or Justice of the Peace of a County, or Judge in a Police Court, and any Provost or Baillie of a City or Burgh.

Certified Industrial Schools.

Mode of certifying Industrial Schools.

4. Her Majesty's Secretary of State for the Home Department, herein-after referred to as the Secretary of State, may upon the Application of the Managers of any School in which industrial Training is provided, and Children are fed as well as taught, and in which Provision for clothing and lodging Children shall have been made to an Extent deemed requisite by the Person appointed as after mentioned, appoint such Person as he may think fit to examine into the Condition of the School, and to report to him thereon; and if satisfied with such Report, he may by Writing under his Hand certify that such School is fitted for the Reception of such Children as may be sent there, in pursuance of this Act, and shall cause a Copy of the Certificate to be sent to the Sheriff Clerk and to the Clerk of the Peace of the County or Ward thereof, and to the Town Clerk of every Burgh within such County in which the School is situate; but no School shall be certified under this Act and also under the Act of the Session of the Seventeenth and Eighteenth Years of Her Majesty, Chapter Eighty-six, intituled *An Act for the better Care and Reformation of youthful Offenders in* Great Britain.

Withdrawal of Certificate by Secretary of State.

5. Every Industrial School that has been certified under this Act, herein-after referred to as "a certified Industrial School," shall from Time to Time, and at least once in each Year, be inspected by a Person to be appointed by the Secretary of State; and it shall be lawful for the Secretary of State, if dissatisfied with the Condition of such School as reported to him, by Notice under his Hand, addressed to the Managers of such School, to declare that the Certificate is withdrawn, from and after a Day to be specified in such Notice, not less than Two Months after the Date thereof.

Notice of Withdrawal.

6. Any such Notice as aforesaid may be served on the Managers of such School by delivering the same personally to any One of them, or by sending it, by Post or otherwise, in a Letter addressed to them or any of them at the said School, or at the usual or last known Place of Abode of any Manager, or of the authorized Secretary, and a Copy of the Notice shall be sent to the Clerk of the Peace of the County or Ward thereof in which the School is situate, and to the Town Clerk of every Burgh within such County; and any School on the Managers of which such Notice has been served shall from and after the Day therein specified cease to be a certified Industrial School within the Meaning of this Act.

7. Where

Local Reformatories may receive youthful Offenders and Vagrant Children.

7. Where in any City, Town, or Place there has been erected, under Local Act of Parliament or otherwise, any House of Refuge for youthful Offenders, or any Reformatory or Industrial School or other similar Institution, it shall be lawful for the Commissioners, Directors, or Managers thereof to receive and maintain therein, if willing so to do, all such young Persons as may be sent thereto under the Act of the Seventeenth and Eighteenth Years of Queen *Victoria*, Chapter Eighty-six, "for the better Care and Reformation of youthful Offenders in *Great Britain*," or the Act of the Eighteenth and Nineteenth Years of Queen *Victoria*, Chapter Eighty-seven, to amend the said recited Act, or under any of them, and to apply such Portion of the Fund under their Control as they may think proper for their Training, Maintenance, and Disposal, such House of Refuge, School, or Institution having always been previously sanctioned under the said recited Acts or either of them, as the Case may be.

Resignation of Certificate by Managers.

8. The Managers of any certified Industrial School may, upon giving Six Months previous Notice of their Intention so to do, in Writing under the Hand of One or more of them, or of the authorized Secretary, require the Secretary of State to withdraw the Certificate given to such School, and accordingly, at the Expiration of Six Months from the Date of the Notice, such Certificate shall be deemed to be withdrawn, and from thenceforth it shall not be lawful to send or receive there any more Children under this Act; but the Managers of a certified Industrial School shall not, except in manner provided by this Section, have Power, without the Consent of the Secretary of State, expressed in Writing, to withdraw from the Obligation of educating, clothing, lodging, and feeding any Children that at the Time of the giving such Notice may be in the School under any Order granted in pursuance of the Provisions of this Act, until the Certificate be withdrawn, or until such Children be removed to some other Industrial School by an Order of the Secretary of State; and if such Managers make default in so doing, they, or such of them as fail therein, shall each of them incur a Penalty not exceeding Five Pounds for each Default, to be recovered in a summary Manner before any Magistrate having Jurisdiction in the Place where such School is situate.

Admission of Children to and their Status at School.

Description of Children liable to be sent to School.

9. Children of the Descriptions herein-after mentioned may be sent to certified Industrial Schools in pursuance of the Provisions of this Act; that is to say,

1. Any Child apparently under the Age of Fourteen Years found begging or receiving Alms, or being in any Street or public Place for the Purpose of begging or receiving Alms:
2. Any Child apparently under the Age of Fourteen Years that is found wandering, and not having any Home or settled Place of Abode or proper Guardianship, or any visible Means of Subsistence, or that frequents the Company of reputed Thieves:

3. Any

3. Any Child apparently under the Age of Twelve Years who, having committed an Offence punishable by Imprisonment or some less Punishment, ought nevertheless, in the Opinion of the Magistrate, regard being had to his Age and to the Circumstances of the Case, to be sent to an Industrial School:

4. Any Child under the Age of Fourteen Years whose Parent represents that he is unable to control him, and that he desires such Child to be sent to an Industrial School, in pursuance of this Act, and who at the same Time gives such Undertaking or other Security as may be approved by the Magistrate before whom he is brought, in pursuance of this Act, to pay all Expenses incurred for the Maintenance of such Child at School: Provided that no Child who, on being brought before the Magistrate, is proved to have been previously sentenced to Imprisonment for any Period of more than Thirty Days, shall be deemed to be within the Provisions of this Act.

Power to Magistrates to send Children to School.

10. Any Person, whether a Constable or not, may bring before a Magistrate any Child that is herein-before declared to be liable to be sent to an Industrial School; and the Magistrate shall make full Inquiry into all the Facts of the Case, and if satisfied on such Inquiry that this Act applies to such Child, and that it is expedient to deal with him under its Provisions, may, by Writing under his Hand, order the Child to be sent, for such Period as he may think necessary, for his Education and Training, to any certified Industrial School, whether situate within his Jurisdiction or not, the Managers of which are willing to receive such Child; subject to this Qualification, that it shall be the Duty of the Magistrate to select, if possible, an Industrial School conducted in accordance with the Religious Persuasion to which the Parent of the Child appears to him to belong: Provided also, that the Magistrate shall have Power, while Inquiry is being made respecting such Child, or respecting a School to which he may be sent, to order him to be taken to the Poorshouse belonging to the Parish or Combination in which such Child has been found, or where there is no such Poorshouse, or where it is at an inconvenient Distance, to such other Place, not being a Prison, as he may appoint, and to be detained therein, at the Cost of such Parish or Combination, for any Time not exceeding Seven Days, or until an Order shall be made previous to the Expiration thereof, for the Discharge of such Child, or for his being sent to a certified Industrial School, as herein-before provided, and such Child shall be so detained accordingly by the Keeper of such Poorshouse, or by such other Person as such Order shall be addressed to.

Lodging, &c. Child at School.

11. The Managers of every such certified Industrial School may, at their Discretion, permit any Child sent there in pursuance of this Act to sleep or lodge at the Dwelling of his Parent, or of any trustworthy and respectable Person, so that they educate, feed, and clothe the Child in all respects as if he were lodging in the School itself, and that they report to the Secretary of State in

in such Manner as he shall require every Instance in which they exercise a Discretion under this Section.

Children not to be sent to Schools to which Parents, &c. object.

12. If the Parent or Guardian or nearest surviving Relative of any Child who may have been sent to or whom it may be intended to send to an Industrial School, under the Provisions of this Act, shall certify to the Magistrate by whom the Order may have been or may be about to be made, within Fourteen Days from the Day of the making of such Order, that they object to such Child being sent to or detained in the School named or about to be named, and shall name another School or Institution in *Great Britain*, duly certified as aforesaid, and shall signify their Desire that such Child may be sent thereto, and shall prove that the Managers thereof are willing to receive such Child, and shall pay or find sufficient Security to pay any additional Expense which his or her Removal may occasion, over and above that of sending him or her to the certified School on which the Order shall be about to be made or shall have been made, and in case the Removal shall take place from one such School to another, then to pay the whole Expense, such Magistrate shall direct such Child to be sent to such last-mentioned School or Institution accordingly: Provided always, that if any such Child who shall have become chargeable to any Parish, and shall, under the Provisions of this Act, be sent from *Scotland* to any School out of *Scotland*, might have been removed from *Scotland* under the Provision of the Eighth and Ninth of Queen *Victoria*, Chapter Eighty-three, at the Instance of the Inspector of the Poor of the Parish to which such Child has become chargeable, had he or she not been sent out of *Scotland* under the Provisions of this Act, the Chargeability on such Parish for such Child shall, on his or her being so sent out of *Scotland*, cease and determine.

As to Settlement and Chargeability of Children sent from Scotland to Schools out of Scotland.

Child chargeable to Parish to be sent to Parochial Industrial School, if any.

13. In the Case of any Child chargeable at the Time to any Parish, or who has been so chargeable within Three Months preceding, if there shall be in such Parish an Industrial certified School maintained by the Parochial Board thereof, and if the Inspector of the Poor of such Parish shall certify to the Magistrate who may be about to make an Order for sending such Child to a certified Industrial School, or, where such Order has been made, within Fourteen Days of the Day of making the same, that he requires such Child to be sent to the certified Industrial School in such Parish maintained by the Parochial Board thereof, such Magistrate shall direct such Child to be sent to such last-mentioned School accordingly, the Inspector of the Poor defraying the Expense of conveying such Child thither.

Limitation of Stay at School.

14. No Child shall in pursuance of this Act be detained against his Consent in any certified Industrial School after he has attained the Age of Fifteen Years.

Discharge of Child from School.

15. The Secretary of State may from Time to Time, by Writing under his Hand, remove any Child sent to an Industrial School in pursuance of this Act from one certified Industrial School to another, so that the whole Period of the Detention of such Child at Industrial Schools be not thereby increased: He may also, in like Manner, discharge any Child from an Industrial School, either

either absolutely or upon Condition of the Parent of such Child or any other Relation undertaking to educate, clothe, and feed him, or entering into such other Undertaking as the Secretary of State may require.

Power to discharge from School before Expiry of Period of Attendance.

16. It shall be lawful for any Magistrate, on the Application of the Parents or of the Directors or Managers of any certified Industrial School to which any such Child may have been transmitted, under the Provisions of this Act, or of the Inspector of the Poor of the Parish in the first instance or ultimately liable for his or her Support, if satisfied that a suitable Employment has been provided for the Child, or in the Case of any Child falling under the Class specified in Paragraph Four of the Ninth Clause hereof, on default of the Parent to make Payment of the Expenses of the Cost of such Child's Maintenance at School, or if he shall otherwise see Cause, to discharge such Child from such School before the Expiry of the Period for which he may have been sent there.

Power to make Rules, &c.

17. It shall be lawful for the Directors and Managers of such Schools and Institutions as aforesaid to make all necessary Rules, Orders, and Byelaws for the Regulation and Management of the Schools and Institutions as aforesaid under their Charge, not repugnant to the Provisions of this Act; but no such Rules, Orders, or Byelaws shall be enforced until they have been submitted to and approved by the Secretary of State.

Maintenance of Children at School.

Maintenance of Child at School.

18. The Commissioners of Her Majesty's Treasury, upon the Representation of the Secretary of State, may defray, out of Monies provided by Parliament for the Purpose, the whole Cost of the Maintenance of any Children sent to School, in pursuance of this Act, except such Children as are sent to School in pursuance of this Act at the Desire of their Parents, and on their Representation that they are unable to control them, at such Rate *per* Head as may be determined by him, or such Portion of the Cost as may not be recovered from the Parent of the Child in manner herein provided, or such other Portion as the Secretary of State may recommend.

Order for Payment of Maintenance.

19. The Magistrate by whom any Child is sent to School in pursuance of this Act, or any Magistrate having Jurisdiction within the District where the School is situate to which any Child is sent in pursuance of this Act, or in which the Parent of such Child shall reside, upon an Application made by any Person appointed by the Secretary of State for that Purpose, or by any Agent of such Person, shall have Authority to make an Order on the Parent of such Child either at the Time of the Child being first sent to School, or at any Time during his Continuance at School, for the Payment of the Expenses of his Maintenance at School to an Amount not exceeding Five Shillings for every Week during which the Child remains at such School, and such Order shall be held to be and shall have all the Effect of a Decree in each Week for Payment of the Sum decerned to be paid for such Week; and under the Warrant for Arrestment therein contained, and which such Magistrate is hereby authorized to grant

grant when he sees fit, it shall be lawful to arrest weekly, for Payment of such weekly Sum as aforesaid, the Wages of the Defender due and current, and such Arrestment shall attach not only the Wages due and payable to the Defender at the Date thereof, but also the Wages current for the Week or other Term or Period in the course of which such Arrestment is executed, any Law or Statute to the contrary notwithstanding; and the Provisions of the Act of the Eighth and Ninth Years of the Reign of Her Majesty, Chapter Eighty-three, for the Punishment of Parents deserting their Children, or refusing or neglecting to maintain them, shall be held and deemed and are hereby directed to be applicable to the Case of Parents refusing or neglecting to pay the Amount so charged upon such Parents as aforesaid.

Variation of Order.

20. The Order made by the Magistrate may specify the Time during which the Parent is to pay the Sums thereby directed to be paid, or it may be indefinite, and until further Order; and any Magistrate having Jurisdiction to make such Order may from Time to Time vary the same whenever Circumstances require it, on the Application either of the Parent or of any Person appointed by the Secretary of State to receive the Money, or by the Agent of such Person, on Fourteen Days Notice being first given of such Application to such Person or his Agent, or to such Parent respectively.

Case of Child chargeable to Parish.

21. Where any Child sent to an Industrial School in pursuance of this Act then is, or within Three Months of the Time of his being so sent has been chargeable to any Parish, the Parochial Board and Inspector of the Poor of the Parish shall, as long as he continues so chargeable, be liable to repay to the Commissioners of Her Majesty's Treasury all Expenses incurred in maintaining such Child at School in pursuance of this Act, to an Amount not exceeding Five Shillings *per* Week, and in default of Payment such Expenses may be recovered by any Person appointed by the Secretary of State, or by his Agent, in a summary Manner, before any Magistrate having Jurisdiction in the Place in which the Parish is situated: Provided always, that nothing in this Act contained shall be construed to prevent any Parochial Board on whose Funds the Cost of Support of any such Child as aforesaid shall have become a Charge from adopting such Steps for his or her Removal as may be competent to them under the Provisions of the Eighth and Ninth *Victoria*, Chapter Eighty-three.

Absconding from School.

Penalty on Child absconding.

22. If any Child, whether lodging in the School or elsewhere, before attaining the Age of Fifteen Years, or before being duly discharged, wilfully absconds from the School to which he is sent in pursuance of this Act, or neglects to attend thereat, or wilfully refuses to conform to the Regulations thereof, any Magistrate having Jurisdiction in the Place in which the School is situate or in which the Child is retaken may, by Writing under his Hand, order him to be sent back to the School, and to be detained there until he attains the Age of Fifteen Years, or for such shorter

shorter Period as the Magistrate thinks fit; or, instead of sending him back to such last-mentioned School, the Magistrate may commit him, under the Provisions of the Act of the Session of the Seventeenth and Eighteenth Years of *Victoria*, Chapter Eighty-six, to any Reformatory School certified under the said Act.

Penalty on inducing Child to abscond.

23. Any Person who directly or indirectly withdraws a Child from the certified Industrial School to which he has been sent previously to his attaining the Age of Fifteen Years, or before being duly discharged, or who induces or aids him to abscond, or who knowingly conceals or harbours him, or in any way prevents his Return, shall for every such Offence incur a Penalty not exceeding Five Pounds, or shall be liable, at the Discretion of the Magistrate, to be imprisoned for any Period not exceeding Twenty Days.

Recovery of Penalties.

Mode of recovering Penalties.

24. Penalties may be recovered under this Act by summary Complaint, at the Instance of the Person or Persons entitled to sue therefor, before any Magistrate having Jurisdiction in the Place where the Party complained on resides, or in which the Act for which the Penalty has been incurred was committed, according to the Form of Procedure provided by the Eighty-first Section of the Act of the Session of the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter Eighty-three, for the Recovery of the Penalties thereby imposed, and such Magistrate shall have and may exercise all and the like Powers as are conferred on the Sheriff for that Purpose by the said Act.

Evidence.

Evidence of School being certified.

25. Whenever the Secretary of State grants a Certificate to or withdraws it from any Industrial School, in pursuance of this Act, he shall cause a Notice of such Grant or Withdrawal to be published in the *Edinburgh Gazette* within One Calendar Month, and such Publication shall be sufficient Evidence of the Fact in all Proceedings before Justices and other Courts.

Evidence of Order of Justices.

26. The Order made by the Magistrate sending any Child to a certified Industrial School shall be forwarded to the Managers thereof, and shall be a sufficient Warrant for the Detention of the Child.

Evidence of Certificate of School, Identity of Child, and making of Orders.

27. Whenever it is necessary to prove that any Industrial School is duly certified under this Act, the Production of an attested Copy of the Certificate or of the Notice published in the *Edinburgh Gazette* shall be sufficient Evidence thereof; and the Production of the Order under which any Child has been sent to or is detained in any certified Industrial School under this Act, or a Copy of such Order, with a Memorandum signed by One of the Managers or their authorized Secretary, or by the Superintendent or Master or Matron of any such School, that the Child named in such Order was duly received into and is at the signing thereof detained in such School, or has been otherwise

wise disposed of according to Law, and the Production of any Order made under this Act, or a Copy thereof, certified by the Clerk to the Magistrate to be a correct Copy, shall in all Proceedings whatsoever be sufficient Evidence of the due making and signing of all or any of such Orders, Memorandum, and Certificate respectively, and of the sending, Detention, and Identity of the Child or Parent named in such Orders respectively, without Proof of the Signatures of the Magistrates or other Persons appearing to have signed the same respectively.

Forms.

Use of Form in Schedule.

28. No Summons, Notice, or Order made for the Purpose of carrying into effect the Provisions of this Act shall be invalidated for Want of Form only; and the Form in the Schedule to this Act annexed, or any Form to the like Effect, may be used in the Case to which it refers, and when used shall be deemed sufficient.

Repeal of Acts.

Acts herein named repealed.

29. There shall be repealed the Acts herein-after mentioned; that is to say,

1. An Act passed in the Session holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter Seventy-four, intituled *An Act to render Reformatory and Industrial Schools in* Scotland *more available for the Benefit of vagrant Children:*
2. An Act passed in the Session holden in the Nineteenth and Twentieth Years of Her Majesty, Chapter Twenty-eight, intituled *An Act to make further Provision for rendering Reformatory and Industrial Schools in* Scotland *more available for the Benefit of vagrant Children:*

Provided that such Repeal shall not affect—

1. Any Certificate given or anything duly done under any Act hereby repealed:
2. Any Order made under any Act hereby repealed:
3. Any Penalty, Forfeiture, or other Punishment incurred under any Act hereby repealed, or any Remedy for recovering or enforcing the same.

Application of Act to existing certified Schools.

30. This Act shall apply to all Schools certified under the Acts hereby repealed or either of them, and to all Children sent to any Industrial School under the Acts hereby repealed or either of them, in the same Manner in all respects as if such Certificate had been given or Children been sent under the Provisions of this Act, with this Qualification, that no Child shall be detained at any Industrial School in pursuance of any Order made under the repealed Acts for a longer Period than he would have been detained if this Act had not passed.

Continuance of Act.

31. This Act shall continue in force until the First Day of *January* One thousand eight hundred and sixty-four, and no longer.

SCHE-

SCHEDULE.

FORM (A.)

Order sending Child to Industrial School.

} To the Constable of
to wit. } and to the Managers of the
certified Industrial School at :

WHEREAS a certain Child named *A.B.* was this Day brought before me, One of Her Majesty's Justices of the Peace for the County of [*or as the Case may be*] under the Provisions of the Industrial Schools Scotland Act, 1861: Now therefore I, the said , being satisfied that the said Act applies to such Child, and that it is expedient to deal with him [*or* her] under its Provisions, order you the said Constable in pursuance of the said Act to take the said Child, and him [*or* her] safely convey to the certified Industrial School at aforesaid, and there to deliver him [*or* her], together with this Order; and I do hereby command you the said Managers to receive the said Child into your Charge in the said School, and there to detain, educate, clothe, and feed him [*or* her] for the Period of from the Date hereof.

Given under my Hand, this Day of
at in the County aforesaid.

[*Signature of Magistrate.*]

FORM (B.)

Order on Parent for Payment towards the Maintenance of the Child.

The Sheriff [*or as the Case may be*] having considered the Complaint of *E.F.*, duly authorized by One of Her Majesty's Principal Secretaries of State, made under the "Industrial Schools (Scotland) Act, 1861," and having heard Parties thereon [*or as the Case may be*, in Absence of *C.D.*, *designing him*, duly cited, but not appearing], pursuant to Section 16. of the said Act, decerns the *C.D.*, complained on, weekly and every Week from the Day of to pay to the said *E.F.*, or to such Person as the said *E.F.* may from Time to Time authorize to receive the same, the Sum of Shillings for the Maintenance, Clothing, Education, Care, and Training of *A.B.*, Son [*or as the Case may be*] of the said *C.D.*, now detained in the certified Industrial School of under an Order by of Date until the said Child shall attain the Age of Fifteen Years, or shall be lawfully discharged from the said School, and grants Warrant of Arrestment to be executed by any Constable or Messenger at Arms.

Given under my Hand, this Day of
at in the County aforesaid.

[*Magistrate's Signature.*]

CAP. CXXXIII.

An Act to amend the Law relating to the Drainage of Land for Agricultural Purposes. [6th *August* 1861.]

'WHEREAS it is expedient to amend the Law relating to 'the Drainage of Land for Agricultural Purposes:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Short Title.

1. This Act may be cited for all Purposes as "The Land Drainage Act, 1861."

Act to apply to England only.

2. This Act, in so far as the same relates to Commissions of Sewers shall include any Commission of Sewers granted by Her Majesty, and for the Time being in force, whether such Commission is or is not granted in pursuance of this Act, or has or has not been granted previously to this Act, and in so far as the same relates to Commissioners of Sewers shall include Commissioners acting under any such Commission as aforesaid, but it shall not extend to *Scotland* or *Ireland*, or to any Part of the Metropolis as defined by the Act passed in the Session holden in the Eighteenth and Nineteenth Years of the Reign of Her present Majesty, Chapter One hundred and twenty, intituled *An Act for the better Local Management of the Metropolis.*

Definition of Terms.

3. "Watercourse" shall include all Rivers, Streams, Drains, Sewers, and Passages through which Water flows:

"Person" shall include any Body of Persons, corporate or unincorporate, unless there is something in the Context inconsistent therewith:

"Owner," as used throughout this Act, except where it is otherwise defined in the Provisions relating to Rating, shall have the same Meaning as it has in "The Lands Clauses Consolidation Act, 1845."

PART I.

Commissions of Sewers.

Assignment of New Limits.

Commissions of Sewers may be issued for new Areas on Recommendation of Inclosure Commissioners.

4. It shall be lawful for Her Majesty, upon the Recommendation of the Inclosure Commissioners, to be obtained on such Application and subject to such Conditions as are herein-after mentioned, to direct Commissions of Sewers into all Parts of *England*, inland as well as maritime, and to assign as the Limits for the Jurisdiction of such Commissions any Areas that may be thought most expedient, having regard to the Levels and other Facilities for Drainage within such Areas, with Power for Her Majesty to include within the Limits of any Commission of Sewers any Area to which a Commission of Sewers may not hitherto have been assigned, or any Area either wholly or partially within the

Limits

Limits of an existing Commission of Sewers; subject to this Proviso, that no Alteration shall be made affecting the Jurisdiction of any Commissioners of Sewers without the Consent of a Special Meeting of such Commissioners.

Recommendation of Inclosure Commissioners to be obtained on Petition of Proprietors, after Investigation by an Inspector.

5. The following Proceedings shall be taken for the Purpose of obtaining the Recommendation of the Inclosure Commissioners to the Grant of a Commission of Sewers:

(1.) A Petition shall be presented to the Inclosure Commissioners, stating the proposed Boundaries of the Area to be comprised within the Limits of the Commission, by Reference to a Map, or in such other Manner as the Commissioners think expedient, and signed by the Proprietors of One Tenth Part of the Land within such Boundaries:

(2.) The Petition shall be supported by such Evidence as the Inclosure Commissioners require; but the Matter thereof shall not be entertained until the Petitioners have given such Security as the Inclosure Commissioners may require for the Payment of Costs in the event of the Petition being unsuccessful:

(3.) Upon the Receipt of such Petition the Inclosure Commissioners may, if they think fit, send an Inspector to the Place, for the Purpose of making Inquiries as to the Genuineness of the Petition, and as to the Propriety of the proposed Boundaries, and as to the Number of Proprietors assenting to or dissenting from the Prayer of the Petition:

(4.) Before commencing such Inquiry the Inspector shall give such Notice as the Inclosure Commissioners direct of his Intention to make the same, and of a Time and Place at which he will be prepared to hear all Proprietors desirous of being heard before him on the Subject of such Inquiry, and of a further Time, being not less than Fourteen Days, within which all Proprietors, intending to dissent from the Prayer of the Petition, must express such Dissent:

(5.) The Inclosure Commissioners shall dismiss the Petition if the Proprietors of One Third Part of the Land within the proposed Boundaries express their Dissent from the Prayer thereof, in Writing addressed to the Inclosure Commissioners, and sent to their Office in *London* within such Time as aforesaid; but if no such Dissent be expressed, and if the Commissioners, after hearing the Report of their Inspector, approve of the proposed Boundaries, either with or without Modification, One of Her Majesty's Principal Secretaries of State shall convey an Intimation of such Approval to Her Majesty; and a Commission of Sewers for the Area as proposed by the Petitioners, or as modified by the Inclosure Commissioners, shall thereupon be issued.

Definition of Proprietors.

6. The following Persons shall be deemed to be Proprietors for the Purposes of this Act; that is to say,

(1.) Any Person entitled for his own Benefit at Law, or in Equity, for an Estate in Fee, to the Possession or Receipt of the Rents and Profits of any Freehold or Copyhold Land, whether such Land is or not subject to Incumbrances:

(2.) Any Person absolutely entitled in possession, at Law or in Equity, for his own Benefit, to a beneficial Lease of Land of which not less than Twenty-five Years are unexpired, whether such Land is or not subject to Incumbrances; but no Lease shall be deemed to be a beneficial Lease, within the Meaning of this Act, if the Rent reserved thereon exceeds One Third Part of the full annual Value of the Land demised by such Lease:

(3.) Any Person entitled under any existing or future Settlement, at Law or in Equity, for his own Benefit, and for the Term of his own Life, or the Life of any other Person, to the Possession or Receipt of the Rents and Profits of Land of any Tenure, whether subject or not to Incumbrances, in which the Estate for the Time being subject to the Trusts of the Settlement is an Estate for Lives or Years renewable for ever, or is an Estate renewable for a Term of not less than Sixty Years, or is an Estate for a Term of Years of which not less than Sixty are unexpired, or is a greater Estate than any of the foregoing Estates:

(4.) The Word "Settlement," as herein used, shall include any Act of Parliament, Will, Deed, or other Assurance whereby particular Estates or particular Interests in Land are created, with Remainders or Interests expectant thereon:

(5.) Any Body Corporate, any Corporation Sole, any Trustees for Charities, and any Commissioners or Trustees for Ecclesiastical, Collegiate, or other public Purposes, entitled at Law or in Equity, in the Case of Freehold Estates or Copyhold Estates in Fee, and in the Case of Leasehold Estates to a Lease for an unexpired Term of not less than Sixty Years.

Trustees to be deemed Proprietors in certain Cases.

7. Where any Proprietor as herein-before defined is a Minor, or of unsound Mind, or a married Woman, the Guardian, Committee, or Husband, as the Case may be, of such Proprietor, shall be the Proprietor within the Meaning of this Act; subject to this Proviso, that a married Woman entitled for her separate Use, and not restrained from Anticipation, shall, for the Purposes of this Act, be treated as if she were not married.

Provision as to Proprietorship by Corporations and Companies.

8. Where a Corporation Aggregate, a Joint Stock or other Company, or any Body of Proprietors or Undertakers, is Proprietor of any Land, such Corporation, Company, Body of Proprietors or Undertakers respectively, shall be deemed to be One Proprietor for the Purpose of giving an Assent or Dissent under this Act, and may express their Assent or Dissent in Writing under their Common Seal in the Case of a Corporation, and in any other Case under the Hands of Three Directors or other Persons in the Direction or Management of the Company or Concern; but no Member of such Corporation, nor Proprietor

or Person interested in such Company or Concern, shall be entitled to dissent individually as a Proprietor in respect of such Land.

Provision as to Joint Proprietors.

9. Where several Persons are Proprietors of Land as Joint Tenants, Coparceners, or Tenants in Common in undivided Moieties, they shall in respect of such Land be accounted as One Proprietor, but the Concurrence of the Proprietors of Two Third Parts of such Land shall be deemed to be the Concurrence of the whole.

Provision in case of no Proprietor.

10. When any Portion of Land comprised within the Boundaries referred to in any such Petition as is herein-before mentioned appears to have no Proprietor within the Meaning of this Act, or the Proprietor cannot be found, the Land so circumstanced shall be altogether excluded in any Computation that may be made of the Proportion borne by the dissenting Proprietors of any Area of Land as herein-before provided to the aggregate Number of the Proprietors of such Land.

Powers of Inspector.

11. Any Inspector sent by the Inclosure Commissioners in pursuance of this Act may, by Summons under his Hand, require to appear before him any Persons whomsoever, and examine them upon Oath or otherwise touching any Matter relating to the Purposes of the Inquiry, and he may by any such Summons require any Parochial Officer, or any Officer of or acting under any Corporation, Guardians, or Directors of the Poor, and any Commissioner, Trustee, Officer, or Person acting under any Local Act of Parliament in force within the District to which any such Inquiry may relate, to produce before him any Surveys, Plans, Sections, Rate Books, or other like Documents which may by reason of their Office be in their Custody or Control, touching any Matter relating to the Purposes of such Inquiry; and such Inspector may examine, inspect, or take Copies of any such Books, Surveys, Plans, Sections, and Documents, or any of them, or Part thereof; and whosoever wilfully disobeys any such Summons, or prevents any such Inspector from examining, inspecting, or taking Copies as last aforesaid, or refuses to answer any Question put to him by such Inspector, for the Purposes of the said Inquiry, shall be liable to a Penalty not exceeding Five Pounds, to be recovered in a summary Manner; but no Person shall be required to attend in obedience to any Summons unless the reasonable Charges of his Attendance have been paid or tendered to him.

Expenses of Issue of a Commission of Sewers under this Act.

12. All Costs, Charges, and Expenses incurred by the Petitioners or the Inclosure Commissioners in obtaining the Issue of a Commission of Sewers in pursuance of this Act shall be a Charge on the Rates leviable by the Commissioners of Sewers acting under such Commission, but if no Commission is issued all such Costs, Charges, and Expenses as aforesaid shall be defrayed by the Petitioners.

Evidence of Issue of Commission.

13. The Issue of a Commission of Sewers for any Area shall be conclusive Evidence that all the Requirements of this Act in respect of the Issue of such Commission have been complied with.

Duration of Commission.

Duration of Commissions of Sewers.

14. A Commission of Sewers once issued shall be deemed to continue until such Time as it may be superseded by Her Majesty; and Her Majesty may from Time to Time, by Writing under Her Sign Manual, fill up any Vacancies that may arise in the Body of Commissioners assigned by any Commission of Sewers.

Quorum.

Quorum of Commissioners.

15. Three Commissioners shall constitute a Quorum at any Meeting or Court of Commissioners of Sewers, except in Cases where Improvements in existing Works, or the Construction of new Works, as herein-after defined, are in question, in which Case the Quorum now required by Law shall be necessary.

General Powers of Commissioners.

Declaration of Powers of Commissioners.

16. The Powers of Commissioners of Sewers acting within their Jurisdiction shall extend to the following Acts:

(1.) To cleansing, repairing, or otherwise maintaining in a due State of Efficiency any existing Watercourse or Outfall for Water, or any existing Wall or other Defence against Water, herein-after referred to under the Expression "Maintenance of existing Works:"

(2.) To deepening, widening, straightening, or otherwise improving any existing Watercourse or Outfall for Water, or removing Mill Dams, Weirs, or other Obstructions to Watercourses or Outfalls for Water, or raising, widening, or otherwise altering any existing Wall or other Defence against Water, herein-after referred to under the Expression "Improvement of existing Works:"

(3.) To making any new Watercourse or new Outfall for Water, or erecting any new Defence against Water, to erecting any Machinery, or doing any other Act not herein-before referred to, required for the Drainage, necessary Supply of Water for Cattle, Warping or Irrigation of the Area comprised within the Limits of their Jurisdiction, herein-after referred to under the Expression "the Construction of new Works:"

Provided,

(1.) That no Person shall by virtue of this Act be compelled to execute at his own Expense any Works which he would not have been compelled to execute if this Act had not passed:

(2.) That no Work shall be deemed to be a new Work that is in substitution for an old one, in Cases where such old Work is so much out of repair or so inefficient as to make it expedient to construct a new Work in place thereof:

(3.) That full Compensation shall be made for all Injury sustained by any Person by reason of the Exercise by the Commissioners of the above Powers:

(4.) That

(4.) That the Exercise of the foregoing Powers shall be subject to the Restrictions herein-after mentioned.

Restrictions as to Obstructions.

17. The Commissioners shall not be entitled to remove or otherwise interfere with any Mill Dam, Weir, or other like Obstruction, whereby the Level of the Water is raised for any milling or other Purpose of Profit, so as to injuriously affect the Supply of Water, otherwise than with the Consent of the Owner of such Mill Dam, Weir, or other like Obstruction, until the following Things have been done; that is to say,

(1.) Their Right to do so has been determined in manner herein-after mentioned:

(2.) Compensation has been made to all Parties entitled for the Injury which may be caused by such Removal or Interference.

Questions as to Right to remove any Obstructions.

18. For the Purpose of determining the Right of the Commissioners to remove or otherwise interfere with any such Dam, Weir, or other like Obstruction, there shall be decided, if the Owner consent, by Two or more Justices assembled in Petty Sessions, but if he do not consent, by Arbitration, the Questions following; that is to say,

(1.) Whether the proposed Removal or Interference is necessary for the effectual Drainage of Land within the Jurisdiction of the Commissioners:

(2.) Whether the proposed Removal or Interference will cause any Injury to the Owner:

(3.) Whether any Injury that may be caused by the Removal or Interference is or is not of a Nature to admit of being fully compensated for by Money.

Consequences of Determination of Question.

19. The Consequence of any such Decision shall be as follows; that is to say,

(1.) If the Decision is that such Removal or Interference is not necessary for the effectual Drainage of the Lands by the Commissioners, the Commissioners shall not be entitled to make the same:

(2.) If the Decision is that such Removal or Interference is necessary for the Purpose aforesaid, but that the Injury to be caused thereby is not of a Nature to be fully compensated for by Money, the Commissioners shall not be entitled to make the same:

(3.) If the Decision is that such Removal or Interference is necessary, and that any Injury that may be caused can be fully compensated by Money, the Commissioners shall be at liberty to make the same, upon making Compensation as herein-after mentioned.

Amount of Compensation how ascertained.

20. Where the Decision is that the Commissioners are entitled to remove or interfere with any such Mill Dam, Weir, or other Obstruction, the Commissioners shall take the same Steps with respect to compensating the Parties interested as are required to be taken by the said Lands Clauses Consolidation Act by Purchasers in Cases where they are authorized to purchase or take Lands by Special Act.

21. The

Restrictions as to Purchase of Land.

21. The Commissioners shall not by virtue of this Act purchase any Land for new Works, otherwise than by Agreement with the Owner thereof, until they have obtained the Sanction of Parliament in manner herein-after mentioned.

Publication of Notices.

22. The Commissioners, before applying for the Sanction of Parliament, shall do as follows; that is to say,

(1.) Publish once at the least in the *London Gazette* and once at least in each of Three consecutive Weeks in some Newspaper circulating within the Limits of their Commission an Advertisement describing shortly the Nature of the Undertaking in respect of which the Land is proposed to be taken, naming a Place where a Plan of the proposed Undertaking may be seen at all reasonable Hours, and stating the Quantity of Land that they require:

(2.) Serve a Notice in manner herein-after mentioned on every Owner or reputed Owner, Lessee or reputed Lessee, and Occupier of such Lands, defining in each Case the particular Lands intended to be taken, and requiring an Answer stating whether the Person so served assents, dissents, or is neuter in respect of taking such Lands; such Notice to be served

By Delivery of the same personally on the Party required to be served, or if such Party is absent abroad to his Agent; or

By leaving the same at the usual or last known Place of Abode of such Party as aforesaid; or

By forwarding the same by Post in a prepaid Letter addressed to the usual or last known Place of Abode of such Party.

Petition to Inclosure Commissioners.

23. Upon Compliance with the Provisions herein-before contained with respect to Advertisements and Notices, the Commissioners may present a Petition to the Inclosure Commissioners. The Petition shall state the Land intended to be taken, and the Purposes for which it is required. It shall pray that the Commissioners may, with reference to such Land, be allowed to put in force the Powers of the said Lands Clauses Consolidation Act in relation to the compulsory taking of Land, and such Prayer shall be supported by such Evidence as the Inclosure Commissioners require.

Inquiries by Inclosure Commissioners.

24. Upon the Receipt of such Petition, and upon Proof to their Satisfaction of the proper Advertisements having been published and Notices served, the Inclosure Commissioners shall take such Petition into their Consideration, and they may either dismiss the same, or they may, if they think fit, send an Inspector to the District in which the Land is situate, for the Purpose of making Inquiry as to the Propriety of assenting to the Prayer of such Petition.

Notice of Inquiries.

25. Before commencing his Inquiry the Inspector shall give such Notice as the Inclosure Commissioners direct of his Intention to make the same, and of a Time and Place at which he will be

be prepared to hear all Persons desirous of being heard before him on the Subject Matter of such Inquiry.

Provisional Order by Inclosure Commissioners to be confirmed by Parliament.

26. Upon the Completion of such Inquiry the Inclosure Commissioners may, by Provisional Order, empower the Commissioners to put in force with reference to the Land mentioned or referred to in such Order the Powers of the said Lands Clauses Consolidation Act in relation to the compulsory taking of Land; and it shall be the Duty of the Inclosure Commissioners as soon as conveniently may be to take all proper Steps for the Confirmation of such Provisional Order by Act of Parliament, and when so confirmed it shall be deemed to be a Public General Act of Parliament, and to take effect accordingly; but previous to such Confirmation it shall not be of any Validity whatever.

Expenses of obtaining Provisional Order.

27. All Costs, Charges, and Expenses incurred by the Inclosure Commissioners in relation to the obtaining any such Act as aforesaid shall be paid by the Commissioners out of the Rates leviable by them in pursuance of this Act, and applicable to the Works with a view to which the Provisional Order was obtained.

Provisions of 8 & 9 Vict. c. 18. and 23 & 24 Vict. c. 106. incorporated with this Act.

28. Subject to the Restrictions herein contained, the Commissioners may purchase such Lands or Easements relating to Lands as they may require for the Purposes of this Act; and "The Lands Clauses Consolidation Act, 1845," and the Act amending the same, passed in the Session of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and six, shall be incorporated with this Part of this Act, with the Exceptions and subject to the Conditions herein-after contained; that is to say,

(1.) There shall not be incorporated with this Part of this Act the Sections and Provisions of "The Lands Clauses Consolidation Act, 1845," herein-after mentioned; that is to say, Section Sixteen, whereby it is provided that the Capital is to be subscribed before the compulsory Powers are to be put in force; Section Seventeen, whereby it is provided that the Certificate of the Justices should be Evidence that the Capital has been subscribed; the Provisions relating to the Entry upon Lands by the Promoters of the Undertaking, contained in Sections Eighty-four to Ninety-one, both inclusive; Section One hundred and twenty-three, whereby a Limit of Time for the compulsory Purchase of Land is imposed; the Provisions relating to the Manner of serving Notices; and the Provisions relating to Access to the Special Act:

(2.) In the Construction of this Part of this Act and the said incorporated Acts this Part of this Act shall be deemed to be the Special Act, and the Commissioners shall be deemed to be the Promoters of the Undertaking, and the Word "Land" or "Lands" shall include any Easement in or out of Lands.

Notice to be given of certain Works.

29. Previously to commencing any Improvements in existing Works, or any new Works where such Improvements or new Works involve an Expenditure of more than One thousand Pounds, the Commissioners shall cause Plans of the proposed

Work and an Estimate of the Expense thereof, and of the Area within which a Rate will be required to be levied to meet such Expense, to be made, together with a List of the Names and Addresses of the Persons reputed to be Proprietors of the Land within such last-mentioned Area, with the Addition of the Number of Acres of which each Person is reputed to be the Proprietor, and shall publish their Intention to execute such Works Two Months before commencing the same, in manner following; that is to say,

By inserting in some Newspaper circulating within the Limits of their Commission, once in every Week during such Period of Two Months, a Notice explaining briefly the Nature of the Work, the Amount of Expense to be incurred, and the Area of Land within which a Rate is proposed to be levied for meeting such Expense, describing such Area by Reference to a deposited Plan, or by Boundaries, or in such other Manner as the Commissioners may think best calculated to give Information of their Intention, and stating a Place within the Limits of their Commission at which the Plan and Estimate of the Works and the List of reputed Proprietors may be inspected at all reasonable Hours:

By placing a Copy of such Notice for Three successive *Sundays* on the Church Door of the principal Church or some One of the Churches of the Parish or Parishes in which such Works are to be done, or, in the Case of any Extra-parochial Place, of some Parish immediately adjoining thereto.

Correction of List of Proprietors.

30. Any Person interested may, at any Time before the Expiration of such Two Months as aforesaid, apply to the Commissioners to correct the List of reputed Proprietors by inserting or expunging the Name of any Person or by altering the Number of Acres appropriated by such List to any Proprietor, and the Commissioners shall hear any Application so made, and shall amend the List accordingly, and the Decision of the Commissioners in respect of such List shall be final; and at the Expiration of the Period of Two Months, or of such further Period as the Commissioners may fix for the Purpose of hearing any Application made within such Period of Two Months, the List as settled by the Commissioners shall be conclusive Evidence of Proprietorship for the Purpose of ascertaining the Proportion of dissenting Proprietors as herein-after mentioned.

Dissent of Proprietors of One Half of Area conclusive against new Works.

31. If within such Period of Two Months the Proprietors of One Half of the Area of Land within which a Rate is according to the Notice proposed to be levied declare in Writing to the Commissioners, by Notice left at their Office, that they are unwilling that such Work should be executed, the Commissioners shall take no further Steps therein; but if no such Declaration of Dissent is made, the Commissioners may at the Expiration of such Period of Two Months commence the proposed Work, and repay out of the Rates to be levied by them within the Area all Expenses incurred, not exceeding the Estimate published in the Notice.

32. If

Drainage of Land.

32. If the Commissioners are unable to discover the Proprietor of any Lands they shall give Notice to that Effect in the List of reputed Proprietors made by them, and such Land shall, in the event of no Proprietor proving his Title to have his Name inserted in the List before the Period herein-before named for the Completion of the List, be altogether excluded in any Computation that may be made of the Proportion borne by the dissenting Proprietors of any Area of Land as herein-before provided to the aggregate Number of the Proprietors of such Land. Provision in case of no Proprietor.

33. Commissioners of Sewers, acting within their Jurisdiction, may, without the Presentment of a Jury, make any Order in respect of the Execution of any Work, the levying of any Rate, or doing any Act which they might but for this Section have made with such Presentment; subject to this Proviso, that any Person aggrieved by any such Order made by the Commissioners without the Presentment of a Jury may appeal therefrom in manner herein-after mentioned. Jury may be dispensed with under certain Conditions.

Liabilities by reason of Tenure.

34. The Commissioners may, with the Consent of the Inclosure Commissioners, testified in Writing under their Common Seal, commute, for such Sums of Money as they think expedient, the Obligation imposed on any Person, by reason of Tenure, Custom, Prescription, or otherwise, to repair any Walls, maintain any Sewer, or do any other Work within their Jurisdiction. Power to commute Liabilities to repair by reason of Tenure.

35. Any Commutation so made may be by way of gross or annual Charge on the Lands of the Person in respect of which the original Obligation arose; and any Charge so created shall be recoverable by the Commissioners in the same Manner in which Tithe Rentcharge is recoverable, and shall have Priority over all Incumbrances created or to be created by any Proprietor of the Lands on which the same is charged. Nature of Commutation.

36. The Record of any such Charge as aforesaid shall be deposited in the Office of the Clerk of the Peace of the County in which the District or the greater Part of the District within the Jurisdiction of the Commissioners is situate; and such Record, or any certified Copy thereof, shall be receivable in Evidence in all legal Proceedings. Deposit of Record of Commutation.

37. Subject to the Provisions herein-before contained as to Commutation of Liability, the Liability of any Person whomsoever to defray or contribute towards the Expense of making, completing, altering, amending, or maintaining any Sewer or Drain, or any Walls or Works for protecting the Land against the Force or Encroachments of the Sea or of any River, or doing any other Work within the Jurisdiction of the Commissioners, shall continue, and the same may be enforced as if this Act had not passed, and the Rates to be levied under this Act shall be made only for Purposes to which such Liability does not extend. Saving of existing Liabilities to repair.

Rating Powers.

38. The following Regulations shall be observed with respect to Rates leviable by Commissioners of Sewers; that is to say, Regulations as to Rating.

First

First—As to the Purposes of the Rate:

Rates may be levied by Commissioners of Sewers for defraying all Costs, Charges, and Expenses incurred or to be incurred by them under the Authority of any Act of Parliament, Law, or Custom:

Second—As to the Incidence of the Rates:

(1.) A Rate levied by the Commissioners for the Purposes of defraying the Expense of any Improvements in existing Works or any new Works, where such Improvements or new Works involve an Expenditure of more than One thousand Pounds, shall be deemed to be a Special Rate, and shall be deemed to be a Tax on the Owners of Property, but, except such Special Rate, Rates leviable by the Commissioners shall be payable by the same Persons, in respect of the same Property, and in the same Manner as they are now by Law payable:

(2.) Where the Owner of any Land makes default in paying the Amount of any Rate due from him, such Amount may be levied upon and Payment thereof enforced against the Occupier of such Land, and his Goods and Chattels, in like Manner as if the same were a Rate due from such Occupier, with this Limitation, that no Occupier shall be liable to pay on account of any Owner any Sum exceeding the Rent due or that may accrue due to such Owner during the Period of his Occupancy; and subject to this Proviso, that any Occupier may, in the Absence of any Agreement to the contrary, deduct the Sum so paid by him from any Rent due or to accrue due to such Owner; and the Receipt of the Commissioners for any Rate paid by the Occupier under the Circumstances mentioned in this Section shall, to the Extent of the Monies therein expressed to be paid, be a Discharge as against such Owner of an equivalent Amount of Rent:

(3.) "Owner of Land" for the Purposes of this Section shall mean the Person for the Time being entitled to receive the Rackrent of the Land in respect of which the Rate is made on his own Account, or who would be entitled to receive the same if such Land were let at a Rackrent, including under the Term "Rackrent" any Rent which is not less than Two Thirds of the net annual Value of the Land out of which the Rent issues:

Third—As to the Assessment of the Rate:

(4.) Whenever the Name of any Owner or Occupier liable to be rated to the Sewers Rate is not known to the Commissioners, it shall be sufficient to assess and designate him in the Rate as "the Owner or Occupier," as the Case may be, of the Land in respect of which the Assessment is made, without further Description:

Subject as aforesaid, and without the Presentment of a Jury, but with such Right of Appeal as herein-after mentioned, Sewers Rates may be assessed, levied, and enforced in the same Manner in which they have heretofore been assessed, levied, and enforced; but

but nothing in this Section contained shall affect any Agreement between Landlord and Tenant.

Overseers to allow Inspection of Poor Rates.

39. For the Purpose of assessing the Sewers Rate, any Person appointed by the Commissioners may inspect, take Copies of, or make Extracts from any Rate for the Relief of the Poor within the District; and if any Officer having the Custody of such last-mentioned Rate refuses to permit any such Inspection, or the taking of any such Copies or Extracts, he shall for each Offence incur a Penalty not exceeding Five Pounds, to be recovered in a summary Manner.

Mortgage of Rates.

Mortgage of Rates.

40. The Commissioners may, for the Purposes of defraying any Costs, Charges, and Expenses incurred or to be incurred by them under the Authority of any Act of Parliament, Law, or Custom, borrow and take up at Interest on the Credit of the Rates authorized to be levied by them any Sums of Money necessary for defraying such Costs, Charges, and Expenses; and for the Purpose of securing the Repayment of any Sums of Money so borrowed, together with such Interest as aforesaid, the Commissioners may mortgage and assign over to the Persons by or on behalf of whom such Sums are advanced the Rates or any of them; but the Exercise of the above Power shall be subject to the following Regulations:

(1.) The borrowing such Money shall be sanctioned by an Order of the Inclosure Commissioners:

(2.) Any Money so borrowed may, by Agreement with the Mortgagee, be paid off by equal annual Instalments of Principal and Interest, and such borrowing may be for such Time, not exceeding Thirty Years, as the Commissioners, with the Sanction of the Inclosure Commissioners, determine in each Case:

And in Cases where the Commissioners borrow any Money for the Purpose of defraying Expenses in respect of which they have determined a Part only of the District within their Jurisdiction to be liable, it shall be the Duty of the Commissioners, as between the Ratepayers of the District, to repay the Money so borrowed, with Interest thereon, out of Rates to be levied on such Part of the District only.

Certain Clauses of 10 & 11 Vict. c. 16. incorporated.

41. The Clauses of the Commissioners Clauses Act, 1847, with respect to Mortgages to be created by the Commissioners, shall form Part of and be incorporated with this Part of this Act, and any Mortgagee or Assignee may enforce Payment of his Principal and Interest by Appointment of a Receiver.

Legal Proceedings.

Notices by Commissioners how to be signed.

42. Where any Notice is required to be given by the Commissioners such Notice shall in all Cases be sufficiently executed if signed by the Clerk to the Commissioners; and every Notice purporting to be signed by such Clerk shall be receivable in Evidence before all legal Tribunals, and in all legal Proceedings, without any other Proof.

43. All

Notices to be binding on Assigns.

43. All Notices served by the Commissioners on any Proprietor or Owner shall, if due Service thereof has been made, be binding on all Persons claiming by, from, or under such Proprietor or Owner, to the same Extent as if such Notice had been served on such last-mentioned Persons respectively.

Notices on Owners to be served personally, or left at their Places of Abode.

44. Except where a special Mode of Service is provided by this Act, all Notices required to be served by the Commissioners upon any Proprietor or Owner of Lands shall either be served personally on such Parties, or be left at their last usual Place of Abode, if any such can after diligent Inquiry be found, but in case any such Parties are absent from the United Kingdom, and their last usual Place of Abode cannot be found after diligent Inquiry, such Notices shall be left with the Occupier of such Lands, or if there be no such Occupier, shall be affixed upon some conspicuous Part of such Lands.

Notices to Corporations to be left at their principal Office.

45. If any Proprietor or Owner on whom Notice is to be served is a Corporation Aggregate, or Joint Stock or other Company or Body of Proprietors or Undertakers, such Notice shall be left at the principal Office of such Corporation, Company, or Body, or if no such Office can after diligent Inquiry be found, shall be served on some Agent, if any, of such Corporation, Company, or Body, but if no such Officer or Agent can be found it shall be left with the Occupier of the Lands, or if there be no such Occupier shall be affixed on some conspicuous Part of such Lands.

Service of Notices on Occupiers.

46. Except where a special Mode of Service is provided by this Act, all Notices required to be served by the Commissioners upon the Occupier of any Land shall either be served personally on him or be left at his last usual Place of Abode, if any such can after diligent Inquiry be found, and in case he is absent from the United Kingdom, and his last usual Place of Abode cannot be found after diligent Inquiry, it shall be affixed on some conspicuous Part of such Premises.

Appeal to Quarter Sessions.

47. Where any Order, Requisition, or Rate has been made by the Commissioners, or any Act done by them, without the Presentment of a Jury in pursuance of the Powers of this Act, any Person aggrieved by such Order, Requisition, or Rate may appeal to the Court of Quarter Sessions against any such Order, Requisition, Rate, or Act, and the Court may confirm, annul, or modify the same accordingly; but no such Appeal shall be entertained unless it is made within Four Months next after the making of such Order or Requisition, or the making such Rate, or the doing of such Act, nor unless Ten Days Notice in Writing of such Appeal, previously to the Quarter Sessions, stating the Nature and Grounds thereof, is served on the Commissioners, nor unless the Appellant, within Four Days after the Service of such Notice, enter into Recognizances with Two sufficient Sureties, before a Justice of the Peace, conditioned duly to prosecute such Appeal, and to abide the Order of the Court thereon.

Power to refer Case to Arbitration.

48. If at any Time after such Notice of Appeal has been given and such Recognizance has been entered into as aforesaid it appears to the Court of Quarter Sessions, on the Application of either

either Party, that the Matter in question in such Appeal consists wholly or in part of Matters of mere Account, or of Engineering or other Scientific Questions, which cannot be satisfactorily tried by the Court, it shall be lawful for such Court to order that such Matters, either wholly or in part, be referred to the Arbitration of One or more Persons, to be appointed by the Parties, or, in case of Disagreement, by the Court; and the Award made on such Arbitration shall be enforceable by the same Process as the Order of the Court of Quarter Sessions.

17 & 18 Vict. c. 125. incorporated.

49. The Provisions of "The Common Law Procedure Act, 1854," relating to compulsory References, shall be deemed to extend to Arbitrations directed by the Court of Quarter Sessions; and the Word "Court" in the said Act shall be deemed to include the Court of Quarter Sessions.

Decision of Questions by Justices or Arbitration.

50. Where any Questions are declared by this Part of this Act to be determinable, at the Option of the Owner, by Justices or by Arbitration, the Owner shall be deemed to have declared his Assent to the Determination thereof by Justices, unless he require the Commissioners to refer the same to Arbitration, by Notice under his Hand, served on the Commissioners within Ten Days after he has received Notice from them of their Intention to have such Questions determined; and where the Justices have Cognizance of the Case, the same Proceedings shall be had as are required under "The Lands Clauses Consolidation Act, 1854," in case of a Question of disputed Compensation authorized to be settled by Two Justices; and where such Questions are referred to Arbitration, the same Proceedings shall be had as required by the said Act where any Question of disputed Compensation authorized to be settled by Arbitration has arisen; subject to this Proviso, that the Costs of such Arbitration shall be in the Discretion of the Arbitrators.

Recovery of Penalties.

51. All Penalties and Sums of Money directed to be recovered in a summary Manner shall be recovered before Two Justices in manner directed by the Act passed in the Session holden in the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter Forty-three, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales, *with respect to Summary Convictions and Orders*, and of any Act amending the same.

Costs of legal Proceedings on Part of Commissioners.

52. All Costs, Charges, and Expenses incurred by the Commissioners in instituting or defending any legal Proceedings instituted or defended by them in their Character of Commissioners may be defrayed out of the Rates leviable by them, and no Commissioner shall be personally liable in respect of any such Costs, Charges, or Expenses.

Tender of Amends.

Tender of Amends.

53. If any Party has committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this Act or any Act relating to Commissioners of Sewers, or by virtue of any Power or Authority thereby given, and if before Action brought in respect thereof such Party makes Tender of sufficient Amends

to

to the Party injured, such last-mentioned Party shall not recover in any such Action; and if no such Tender has been made it shall be lawful for the Defendant, by Leave of the Court where such Action is pending, at any Time before Issue joined, to pay into Court such Sum of Money as he thinks fit, and thereupon such Proceedings shall be had as in other Cases where Defendants are allowed to pay Money into Court.

Saving Clauses and Miscellaneous.

Saving Rights of Canal Owners and Wharfingers.

54. Nothing in this Act shall authorize the Commissioners or any Drainage Board or Owner—

(1.) To interfere with any Sewers or other Works already or hereafter made and used for the Purpose of draining, preserving, irrigating, or improving Land under any Local or Private Act of Parliament, so as to injuriously affect the same;

(2.) To interfere with any River, Canal, Dock, Harbour, Lock, Reservoir, or Basin, or the Supply of Water to any River, Canal, Dock, Harbour, Lock, Reservoir, or Basin, so as to injuriously affect the Navigation on such River, Canal, Dock, Harbour, Lock, Reservoir, or Basin, or the Use or Maintenance thereof, or to interfere with any Towing-path so as to interrupt the Traffic thereof, in Cases where any Corporation, Company, Undertakers, Commissioners, Conservators, Trustees, or Individuals are by virtue of any Act of Parliament entitled to navigate on or use such River, Canal, Dock, Harbour, Lock, Reservoir, or Basin, or in respect of the Navigation on or Use of which River, Canal, Dock, Harbour, Lock, Reservoir, or Basin any Corporation, Company, Undertakers, Commissioners, Conservators, and Trustees, or Individuals are entitled by virtue of any Act of Parliament to the Receipt of any Tolls or other Dues;

(3.) To interfere with the Works or Supply of Water of any Body or Persons, corporate or unincorporate, supplying Water to any Town or Place, so as to injuriously affect the same;

(4.) To execute any Works in, through, or under any Wharves, Quays, Docks, Harbours, or Basins, belonging to the Proprietor or Proprietors of any Inland Navigation constituted by Act of Parliament, or for the Use of which they are entitled by virtue of any Act of Parliament to demand any Tolls or Dues;

Without the Consent of such Corporation, Company, Undertakers, Commissioners, Conservators, Trustees, or Individuals as are herein-before in that Behalf respectively mentioned, such Consent to be expressed in Writing, in the Case of Individuals under their Hands, in the Case of a Corporation under their Common Seal, and in the Case of a Company, Undertakers, Commissioners, Conservators, or Trustees, under the Hand of their Clerk or other duly authorized Officer or Agent.

55. Nothing

Commissioners not to divert Rivers, &c.

55. Nothing in this Act shall authorize the Commissioners to divert any River in such Manner as to injure or to diminish the Supply of Water to any Harbour without the Consent of the Conservators or other Authority having the Management of such Harbour.

Power for Canal Commissioners to alter Sewers.

56. Any Corporation, Company, Undertakers, Commissioners, Conservators, Trustees, or Individuals authorized by virtue of any Act of Parliament to navigate on or use any River, Canal, Dock, Harbour, or Basin, or to demand any Tolls or Dues in respect of the Navigation on such River or Canal, or the Use of such Dock, Harbour, or Basin, may, at their own Expense, and on substituting other Sewers, Drains, Culverts, and Pipes equally effectual and certified as such by the Surveyor of the Commissioners or Drainage Board, take up, divert, or alter the Level of Sewers, Drains, Culverts, or Pipes constructed by the Commissioners or Drainage Board and passing under or interfering with or with the Improvement or Alteration of such River, Canal, Dock, Harbour, or Basin, or the Towing-path of such River, Canal, Dock, Harbour, or Basin, and do all such Matters and Things as may be necessary for carrying into effect such taking up, Diversion, or Alteration.

Exemptions under Local Acts preserved.

57. Nothing in this Act shall be construed to make liable to the Control of the Commissioners any River, Canal, or Inland Navigation, or the Cuts, Reservoirs, Feeders, or other Works belonging thereto, in Cases where such River, Canal, or Inland Navigation is now under the Provisions of any Local or Private Act of Parliament exempt from such Control.

Penalty for draining into Sewers without Consent of Commissioners.

58. No Person shall, without the Consent of the Commissioners, cause any filthy or unwholesome Water or Washings of Manufactories or Mines, or other foul or poisonous Liquid, to flow into any Watercourse within the Jurisdiction of the Commissioners of Sewers; and any Person offending against this Enactment shall incur a Penalty not exceeding Five Pounds, and a further Penalty of Forty Shillings for every Day during which the Offence is continued; but this Section shall not apply to any Person having a legal Right to cause such Water, Washing, or Liquid as aforesaid to flow into any existing Watercourse.

Powers of Commissioners of Sewers and Drainage Boards to enter into Arrangement.

59. Commissioners of Sewers having Jurisdiction within any Area may, with the Consent of the Commissioners of Sewers having Jurisdiction within any adjoining Area, do and execute in such adjoining Area any Works that such first-mentioned Commissioners might do and execute within their own Area, upon such Terms as to Payment or otherwise as may be agreed upon between the said Bodies of Commissioners; and any Sums agreed to be paid by any Body of Commissioners, in pursuance of this Section, shall be payable out of the Rates leviable by such Commissioners, in the same Manner as if the Expenses had been incurred within their own Area; and the Powers hereby given to one Body of Commissioners in relation to another Body of Commissioners may be exercised by them in relation to any Drainage Board constituted under this Act, or by any such Drainage Board in relation to any other Drainage Board.

60. All

Powers of Act cumulative.

60. All Powers given by this Part of this Act shall be deemed to be in addition to and not in derogation of any other Powers conferred on Commissioners of Sewers by Act of Parliament, Law, or Custom; and Commissioners of Sewers may exercise such other Powers in the same Manner as if this Act had not passed; and notwithstanding anything in this Act contained, Commissions of Sewers may be issued by Her Majesty in manner in which the same have been issued previously to the passing of this Act.

Not to affect certain Contracts.

61. Nothing in this Act shall alter, interfere with, or affect any Lease, Contract, or Agreement that may have been entered into between Landlord and Tenant before the passing of this Act.

Provision in case of Alteration of Local Boundaries.

62. Where in exercise of any Powers given by this Act any Watercourse forming a Boundary Line between Two or more Counties, Hundreds, Parishes, or other Areas defined by Law, is straightened, widened, or otherwise altered so as to affect its Character as a Boundary Line, the Commissioners, Board, Persons, or Person under whose Authority such Alteration is made shall forthwith report the same to the Inclosure Commissioners, and the Inclosure Commissioners, if satisfied that a new Boundary Line may be adopted with Convenience, shall, by Notice to be published in the *London Gazette* and in such other Manner as they may direct, declare that the Watercourse, as altered, shall either wholly or partially be substituted for the former Boundary Line, and the Limits of the Areas of which the Watercourse, when unaltered, was the Boundary shall be deemed to be varied accordingly; but if the Inclosure Commissioners are of opinion that a new Boundary cannot wholly or partially be adopted with Convenience, they shall require the Commissioners, Board, Persons, or Person under whose Authority the Alteration in the Watercourse was made to set out a Boundary upon the Line of the Watercourse as it existed before its Alteration, or in a new Course in lieu thereof, in such Manner as the Inclosure Commissioners approve; and a Copy of the *London Gazette* containing the Advertisement in respect of any Alteration of Boundary made in pursuance of this Section shall be admitted as Evidence in all Courts of Justice of the Fact of such Alteration having been made.

PART II.

Elective Drainage Districts.

Constitution of Elective Drainage Districts.

63. Any Persons or Body of Persons, corporate or unincorporate, being Proprietors of not less than One Tenth Part in Acreage of any Bog, Moor, or other Area of Land that requires a combined System of Drainage, Warping, or Irrigation, may, with the Consent of the Inclosure Commissioners, and subject to the Confirmation of Parliament as herein-after mentioned, constitute such Bog, Moor, or other Area a separate Drainage District; subject to this Proviso, that no Place within the Limits of any Commission of Sewers, or of any Borough, or of any District under the Management of a Local Board of Health, or of Improvement Commissioners, shall form a separate Drainage District or any Part thereof,

thereof, without the Consent of the Commissioners of Sewers, Council, Local Board of Health, or Improvement Commissioners having Jurisdiction in such Place.

Mode of constituting Elective Drainage District.

64. The following Proceedings shall be taken for the Purpose of obtaining the Sanction of the Inclosure Commissioners:

(1.) A Petition shall be presented to them, stating the proposed Boundaries of the District, by Reference to a Map, or in such other Manner as the Inclosure Commissioners think expedient: It shall be signed by such Proprietors as aforesaid, and be supported by such Evidence as the Inclosure Commissioners require:

(2.) Upon the Receipt of such Petition, the Inclosure Commissioners shall send an Inspector to the District, for the Purpose of making Inquiries as to the Propriety of constituting the proposed District, and as to the Assent of the Proprietors thereto:

(3.) The Inspector shall proceed to the District, and shall ascertain the Opinion of the Proprietors in respect to the Constitution of the District:

(4.) The Inspector shall report the Result of his Inquiries to the Inclosure Commissioners, and they may, if satisfied with the Propriety of constituting the District, and that the Proprietors of Two Third Parts of such Bog, Moor, or other Area are in favour thereof, make a Provisional Order declaring the Area in such Order mentioned to be a Drainage District:

(5.) Notice of the Provisional Order shall be published in the *London Gazette* and in some other Newspaper circulating in the District to which it relates, and Copies thereof shall be served in such Manner and upon such Persons as the Inclosure Commissioners may require:

(6.) Upon the Receipt of the Report of the Inspector the Inclosure Commissioners may, by Provisional Order under their Seal, constitute the Area mentioned in the Petition, with such Alterations of Boundaries, if any, as they think fit, a separate Drainage District; and it shall be the Duty of the Inclosure Commissioners, as soon as conveniently may be, to take all proper Steps for the Confirmation of such Provisional Order by Act of Parliament, and when so confirmed it shall be deemed to be a Public General Act of Parliament, and take effect accordingly; but previous to such Confirmation it shall not be of any Validity whatever:

(7.) No Petition for constituting an Elective Drainage District under this Act shall be entertained until the Petitioners have given such Security for Costs as the Inclosure Commissioners require; and in the event of a Drainage District not being constituted in pursuance of a Petition, the Petitioners shall pay all Costs, Charges, and Expenses, including the Expense incurred by the Inclosure Commissioners and their Inspector; but in the event of the

Drainage District being constituted, such Costs, Charges, and Expenses shall be a First Charge on the Rates leviable in the District in pursuance of this Act.

Evidence of Constitution of District.

65. The making of a Provisional Order shall be conclusive Evidence that all the Requirements of this Act in respect of Proceedings required to be taken previously to the making of such Provisional Order have been complied with.

Drainage Boards.

Constitution of Drainage Boards.

66. The Superintendence of Matters relating to Drainage within a Drainage District shall be vested in a Board hereinafter called a Drainage Board, and such Board shall be a Body Corporate, with perpetual Succession and a Common Seal, having a Capacity to hold Lands for all the Purposes of their Constitution.

Powers of Drainage Board.

67. All Powers by this Act or by any other Act of Parliament, Law, or Custom vested in or exerciseable by Commissioners of Sewers within the Limits of their Jurisdiction may, upon the Constitution of a Drainage District, be exercised by the Drainage Board of such District within its Limits; and all Powers hitherto exerciseable by Commissioners of Sewers within such District shall cease; subject to this Proviso, that any Person aggrieved by any Order, Requisition, or Rate made by the Drainage Board, or any Act done by them, may appeal therefrom in the same Manner in which he is by this Act authorized to appeal against any Order, Requisition, or Rate made by the Commissioners or any Act done by them.

Regulations as to Drainage Boards.

68. Subject to any Provisions to the contrary that may be made by the Provisional Order constituting the District, the following Regulations shall be made with respect to Drainage Boards:

(1.) The Members of the First Drainage Board shall be named in the Provisional Order, and such Order shall fix the Number of which the Board is to consist, the Mode of summoning the First Meeting of the Board, the Qualification of subsequent Members of the Board, and the Time at which the First Members of the Board are to vacate their Offices, such Time not being later than the End of the Month of *September* in the Year following that in which the Provisional Order is confirmed by Parliament:

(2.) The Members of every Board succeeding the First Board shall vacate their Offices on the First *Thursday* in *September* in each succeeding Year, or on such other Day in *September* as may be prescribed by the Board:

(3.) The Offices of vacating Members shall be filled up by an equal Number of qualified Persons to be elected as hereinafter mentioned:

(4.) Every Member of a Drainage Board going out of Office shall be re-eligible, and if at any Time when an Election of Members ought to take place the Places of any retiring Members are not filled up the retiring Members whose Places are not filled up shall continue in Office until the succeeding Year:

(5.) Any

(5.) Any casual Vacancy occurring in the Board may be filled up by the Board; but any Person so chosen shall retain his Office so long only as the vacating Member would have retained the same if no Vacancy had occurred:

(6.) During any Vacancy in the Board the continuing Members shall act as if such Vacancy had not occurred:

(7.) If a Member of a Drainage Board is adjudged bankrupt, or applies to take the Benefit of any Act for the Relief or Protection of Insolvent Debtors, or compounds with his Creditors, such Person shall cease to be a Member of the Board, and his Office shall thereupon be vacant:

(8.) Any Person who acts as Member of a Drainage Board without being duly qualified, or after he has become disqualified, shall incur a Penalty not exceeding Fifty Pounds; and in any Proceeding for the Recovery of such Penalty the Burden of proving Qualification shall be upon the Person against whom such Proceeding is taken:

(9.) All Acts done by any Meeting of a Drainage Board or of any Committee of a Drainage Board, or by any Person acting as a Member of a Drainage Board, shall, notwithstanding it may be afterwards discovered that there was some Defect in the Appointment of any such Board or Persons acting as aforesaid, or that they or any of them were or was disqualified, be as valid as if every such Person had been duly appointed and was qualified to be a Member.

Rules to be observed with respect to Electors of Drainage Board.

69. Subject to any Provisions to the contrary that may be made by the Provisional Order constituting the District, the following Rules shall be observed with respect to the Electors of Drainage Boards:

(1.) The Electors for Members of a Drainage Board for any District shall be the Persons who have during the Year immediately preceding such Election been rated to the Sewers Rate of the District, and have paid all Sewers Rates due from them at the Time of their Election:

(2.) Each Elector shall vote according to the following Scale; that is to say,

If the Property in respect of which he is entitled to vote be rated upon a rateable Value of less than Fifty Pounds he shall have One Vote;

If such rateable Value amount to Fifty Pounds and be less than One hundred Pounds he shall have Two Votes;

If it amount to One hundred Pounds and be less than One hundred and fifty Pounds he shall have Three Votes;

If it amount to One hundred and fifty Pounds and be less than Two hundred Pounds he shall have Four Votes;

If it amount to Two hundred Pounds and be less than Two hundred and fifty Pounds he shall have Five Votes;

If it amount to Two hundred and fifty Pounds he shall have Six Votes;

If it amount to Five hundred Pounds and be less than One thousand Pounds he shall have Eight Votes;

If it amount to or exceed One thousand Pounds he shall have Ten Votes.

Mode of Election of Drainage Boards, &c.

70. Subject to any Provisions to the contrary that may be made by the Provisional Order constituting the District, the mode of electing Members of Drainage Boards, and the Proceedings of Drainage Boards, shall be conducted in manner directed by the Schedule annexed hereto.

Certain Provisions of 10 & 11 Vict. c. 16. incorporated.

71. The Provisions of the Commissioners Clauses Act, 1847, with respect to—

(1.) The Contracts to be entered into and Deeds to be executed by the Commissioners;

(2.) The Liabilities of the Commissioners, and to legal Proceedings by or against the Commissioners;

(3.) The Appointment and Accountability of Officers of the Commissioners;

(4.) The Accounts to be kept by the Commissioners;

(5.) The giving Notices and Orders,

shall be incorporated with this Part of this Act; and in the Construction of this Part of this Act and the said incorporated Provisions, Part Two of this Act, and the Act of Parliament confirming the Provisional Order, shall together constitute "the Special Act."

PART III.

Power of Private Owners to procure Outfalls.

Application for Outfall to adjoining Owner.

72. Any Person interested in Land, who is desirous to drain the same, and in order thereto deems it necessary that new Drains should be opened through Lands belonging to another Owner, or that existing Drains in Lands belonging to another Owner should be cleansed, widened, straightened, or otherwise improved, may apply to such Owner, who is herein-after referred to as the adjoining Owner, for Leave to make such Drains or Improvements in Drains through or on the Lands of such Owner.

Mode of making Application.

73. Any such Application as aforesaid shall be by Notice in Writing, under the Hand of the Applicant, and shall be served on the Owner and also on the Occupier, if the Owner be not the Occupier, in manner in which Notices are required to be served on Owners and Occupiers under the First Part of this Act. The Notice shall state the Nature of such Drains or Improvements in Drains, be accompanied by a Map, on which the Length, Width, and Depth of the proposed Drains or Improvements in Drains shall be delineated, and shall further state the Compensation, if any, which the Applicant proposes to pay.

Assent of adjoining Owner.

74. The adjoining Owner may, by Deed under his Hand and Seal, assent to such Application, upon such Terms and on Payment of such Compensation as he may require, and any Assent so given shall be binding on all Parties having any Estate

Estate or Interest in the Land, subject to the following Provisions:

1stly. That any Arrangement entered into by any adjoining Owner under any Disability or Incapacity, or not having Power to assent to such Application, except under the Provisions of this Act, shall not be valid unless the same is approved by Two Surveyors, one of whom is to be nominated by the Applicant, and the other by the adjoining Owner; and each of such Surveyors, if they approve of the Arrangement, shall annex to the Document containing the same a Declaration to that Effect, subscribed by them:

2ndly. That any Compensation to be paid by the Applicant to the adjoining Owner in Cases where such Owner is under any Disability or Incapacity, or has not Power to assent to such Application, except under the Provisions of this Act, shall be applied in manner in which the Compensation coming to Parties having limited Interests, or prevented from treating, and not making Title, is applicable, under "The Lands Clauses Consolidation Act, 1845:"

3rdly. That any Occupier or Person other than the Owner interested in the Lands shall be entitled to Compensation for any Injury he may sustain by the making of the proposed Drains or Improvements in Drains, so that the Claim therefor be made within Twelve Months after Completion of such Drains or Improvements in Drains, the Amount of such Compensation to be determined, in case of Dispute, in the Manner in which disputed Compensation for Land is required to be determined by the said "Lands Clauses Consolidation Act, 1845."

Record of Assent of adjoining Owner.

75. The Applicant shall forward to the Clerk of the Peace of the County, Riding, or Division of the County wherein the Land is situate the Deed containing the Assent of the adjoining Owner to the proposed Drains or Improvements in Drains, who shall keep the same in his Office as a Record of the Proceedings between the Parties.

Dissent of adjoining Owner.

76. The adjoining Owner shall be deemed to have dissented from the Application made to him if he fail to express his Assent thereto within One Month after the Service of the Notice of Application on him; and in the event of such Dissent there shall be decided, by Two or more Justices in Petty Sessions assembled, unless the adjoining Owner require the same within such Period of One Month to be decided by Arbitration, the Questions following; that is to say,

(1.) Whether the proposed Drains or Improvements in Drains will cause any Injury to the adjoining Owner, or to the Occupier or other Person interested in the Lands:

(2.) Whether any Injury that may be caused is or is not of a Nature to admit of being fully compensated for by Money:

And the Provisions of the First Part of this Act relating to the Decision of the Questions therein mentioned shall apply to the Decision of the Questions mentioned in this Section.

The

Result of Decision.

The Result of any such Decision shall be as follows; that is to say,

(1.) If the Decision is that no Injury will be caused to the adjoining Owner, to the Occupier, or other Parties interested in the Lands, the Applicant may proceed forthwith to make the proposed Drains or Improvements in Drains:

(2.) If the Decision is that Injury will be caused to the adjoining Owner, Occupier, or other Parties interested in the Lands, but that such Injury is of a Nature to admit of being fully compensated by Money, the Justices or Arbitrators shall proceed to assess such Compensation, and to apportion the same amongst the Parties in their Judgment entitled thereto; and on Payment of the Sum so assessed the Applicant may proceed to make the proposed Drains or Improvements in Drains:

(3.) If the Decision is that Injury will be caused to the adjoining Owner, Occupier, or other Parties interested in the Lands, and that such Injury is not of a Nature to admit of being fully compensated by Money, the Applicant shall not be entitled to make the proposed Drains or Improvements in Drains.

Application of Compensation in case of Owners under Disability.

77. Where the Compensation assessed by the Justices or Arbitrators under the last preceding Section is payable to any Owner or other Person who is under any Disability or Incapacity, or is not entitled to receive the same for his own Benefit, such Compensation shall be applied in the Manner in which the Compensation coming to Parties having limited Interests or prevented from treating and not making Title is applicable under "The Lands Clauses Consolidation Act, 1845."

Duty of Arbitrators.

78. The Justices or Arbitrators, as the Case may be, in the event of their approving of a Scheme of Drainage as proposed by the Applicant or as modified by themselves, shall cause a Map thereof to be prepared, and shall certify under their Hands the Correctness of such Map; and it shall be the Duty of the Applicant to forward the same to the Clerk of the Peace of the County, Riding, or Division of the County wherein the Land is situate, who shall keep the same in his Office as a Record of the Proceedings between the Parties.

Power of Applicant to clear Drains.

79. After Drains have been opened or Improvements in Drains made, in pursuance of Part Three of this Act, it shall be lawful for the Applicant, his Heirs and Assigns, for ever thereafter, from Time to Time as it becomes necessary, to enter upon the Lands through which such Drains have been opened or Improvements made, for the Purpose of clearing out, scouring, and otherwise maintaining the same in a due State of Efficiency, and if such Drains or Improvements in Drains are not kept so cleared out, scoured, and maintained in a due State of Efficiency, the Owner or Occupier for the Time being of the Lands through or on which such Drains or Improvements in Drains are made may clear out, scour, and otherwise maintain the same in a due State of Efficiency, and recover the Expenses incurred in such clearing out,

out, scouring, or Maintenance, in a summary Manner, from the Applicant, his Heirs or Assigns.

Power of adjoining Owner to divert Drains.

80. The Owner for the Time being of the Land through or in which any Drain may be opened, or Improvements in Drains made, in pursuance of Part Three of this Act, may fill up, divert, or otherwise deal with such Drains or Improvements in Drains, on Condition of first making and laying down in lieu thereof Drains equally efficient; and any Dispute as to the Efficiency of Drains so laid down shall be decided by Two or more Justices assembled in Petty Sessions.

Penalty for obstructing or injuring Drains.

81. Any Person who wilfully obstructs any Person making any Drains or Improvements in Drains in pursuance of Part Three of this Act, and any Person who wilfully dams up, obstructs, or in any way injures any Drains or Improvements in Drains so opened or made, shall for each Offence incur a Penalty not exceeding Ten Pounds, to be recovered in a summary Manner.

Costs of Application.

82. All Costs, Charges, and Expenses reasonably incurred by the adjoining Owner in respect of any Application made in pursuance of this Part of this Act shall be defrayed by the Applicant.

Provision in case of Change of natural Outfall.

83. Where any Person is desirous, in pursuance of this Part of this Act, of constructing any Drain by means whereof any Brook, River, or other natural Watercourse will be diverted from its ordinary Channel into any other Brook, River, or natural Watercourse, he shall cause a Copy of the Notice hereby required to be served on the adjoining Owner to be published by Advertisement once at least in each of Three successive Weeks in some local Newspaper circulating in the District in which the Drain proposed to be constructed is situate, and to be served in manner in which Notices are required to be served under the First Part of this Act (where no special Mode of Service is prescribed) on all Owners of Land abutting upon the Brook, River, or other natural Watercourse into which the Diversion is made, and situate within Four Miles of the Point of Junction, and shall deposit a Copy of the Map hereby required to accompany the Notice served on the adjoining Owner with the Clerk of the Peace of the County, Riding, or Division of a County wherein the proposed Drain is situate; and it shall be lawful for any Person being the Owner of Land capable of being injured by the proposed Drain, within Eight Weeks after the First Notice of the proposed Drain appears in the Newspaper, to serve Notice that he apprehends Injury from such Drain on the Person proposing to make the same, and thereupon such Owner shall be deemed to have dissented, and shall be entitled to the same Rights and Privileges under this Part of this Act as if he were the adjoining Owner.

SCHEDULE referred to in the foregoing Act.

PART I.

Rules as to Election of Members of Drainage Boards.

The Chairman of the Board of the previous Year, or some Person appointed by him, shall be the Returning Officer.

If

If at any Time, from any Default of such Chairman as aforesaid, or from any Reason, there is no Returning Officer, or such Returning Officer is unwilling or unable to act, the Inclosure Commissioners may, on the Application of any Member of the Board, appoint a Returning Officer.

The Election of new Members shall take place on the First Thursday, or on such other Day as may be appointed by the Board, in September in every Year, excepting the Year in which the Provisional Order is confirmed by Parliament.

On every Occasion of the Election of new Members of the Board the Returning Officer shall convene a Meeting of the Electors for the Purpose of such Election, and shall give Notice of such Meeting, and of the Time and Place at which it is to be held—

By Advertisement in some One or more of the Newspapers circulating in the District;

By causing a Copy of such Notice to be affixed to the outer Door of the principal Office of the Board.

The Returning Officer shall preside and regulate the Proceedings at such Meeting.

At any such Meeting as aforesaid any Person or Persons may, if he or they consent thereto, be nominated by any Elector, and seconded by any other Elector, as a Member or Members of the Board.

If more Candidates are proposed than the Number to be elected, a Poll may be demanded, and shall be taken in manner herein-after mentioned, but if not, or if no Poll is demanded, a Declaration by the Returning Officer that the Candidates are elected Members of the Board shall be Evidence of the Fact.

When a Poll is demanded the Returning Officer shall direct the same be taken at such Place or Places within the District on such Day not exceeding One clear Day from the Day appointed for the Election as he may determine.

Votes may be given either personally or by Proxy; a Proxy shall be appointed under the Hand of the Appointor, but he shall not be entitled to vote unless the Instrument appointing him was deposited at the Office of the Board Seven Days before the Day of Election at which such Proxy proposes to vote; but no Person shall be appointed a Proxy unless he is a qualified Elector.

The Poll shall be opened at Nine o'Clock of the Forenoon of the appointed Day, and shall close at Four o'Clock in the Afternoon of the same Day, except in the Case of Disturbance when the closing of the same may be fixed to take place at such Time as the Returning Officer directs.

The Poll at any Place of Voting may be closed at any Time before Four of the Clock if One Hour has elapsed during which no Vote has been tendered at such Place of Voting.

The Returning Officer shall cause to be entered in the Polling Books the Name and Address of every Voter and the Manner in which he votes.

At the Close of the Poll the Returning Officer shall sum up the Votes, and as soon as possible publish the Names of the Candidates elected as herein mentioned—

(1.) By Advertisement in some One or more Newspaper or Newspapers circulating in the District;

(2.) By affixing a List of such Candidates to the outer Door of the principal Office of the Board.

Whenever any Day hereby appointed for any Purpose happens to be a Sunday, the Business so appointed to be done shall take place on the Monday following.

PART II.

Rules as to Proceedings of Drainage Boards.

1. A Drainage Board shall meet together for the Despatch of Business, and shall from Time to Time make such Regulations with respect to the Summoning, Notice, Place, Management, and Adjournment of such Meetings, and generally with respect to the Transaction and Management of Business, as they think fit, subject to the following Condition :—That

(*a.*) No Business shall be transacted at any Meeting unless at least Three Members are present at the Commencement and Close of such Business.

(*b.*) No Order involving an Expenditure of more than One hundred Pounds shall be made by the Board unless at the least One Month's previous Notice, specifying the Work to be undertaken or the other Matter to which such Order relates, and naming a Day on which a Meeting of the Board is to be held for considering the Matter to be ordered, has been sent by Circular to each Member of the Board :

(*c.*) All Questions shall be decided by a Majority of Votes of the Members present :

(*d.*) The Names of the Members present, as well as of those voting upon each Question, shall be recorded.

2. The Board shall, at their First Meeting, and afterwards from Time to Time at their First Meeting after each Annual Election, appoint One of their Number to be Chairman for the Year following such Choice.

3. If any casual Vacancy occurs in the Office of Chairman, the Board shall, as soon as they conveniently can after the Occurrence of such Vacancy, choose some Member of their Number to fill such Vacancy ; and every such Chairman so elected as last aforesaid shall continue in Office so long only as the Person in whose Place he may be so elected would have been entitled to continue if such Vacancy had not happened.

4. If at any Meeting the Chairman is not present at the Time appointed for holding the same, the Members present shall choose some One of their Number to be Chairman of such Meeting.

5. In case of an Equality of Votes at any Meeting, the Chairman for the Time being of such Meeting shall have a Second or Casting Vote.

6. The

6. The Board may delegate any of their Powers to Committees, consisting of such Member or Members of their Body as they think fit. Any Committee so formed shall, in the Exercise of the Powers delegated, conform to any Regulations that may be imposed on them by the Board.

7. A Committee may elect a Chairman of their Meetings. If no such Chairman is elected, or if he is not present at the Time appointed for holding the same, the Members present shall choose One of their Number to be Chairman of such Meeting.

8. A Committee may meet and adjourn as they think proper. Questions at any Meeting shall be determined by a Majority of Votes of the Members present; and in case of an equal Division of Votes, the Chairman shall have a Second or Casting Vote.

9. The Board shall cause Minutes to be made, in Books provided for that Purpose,—

(1.) Of all the Appointments of Officers made by the Board;

(2.) Of the Names of the Members present at each Meeting of the Board, and Committees of the Board;

(3.) Of all Orders made by the Board, and Committees of the Board; and,

(4.) Of all Resolutions and Proceedings of Meetings of the Board, and of Committees of the Board.

And any such Minutes as aforesaid, if signed by any Person purporting to be the Chairman of any Meeting of the Board, or Committee of the Board, shall be receivable in Evidence, without any further Proof.

CAP. CXXXIV.

An Act to amend the Law relating to Bankruptcy and Insolvency in *England*. [6th *August* 1861.]

'WHEREAS it is expedient to amend the Laws relating to 'Bankruptcy and Insolvency in *England*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

As to the Court of Bankruptcy and the Commissioners thereof, their Powers and Jurisdiction:

As to Powers, &c. of Court of Bankruptcy.

1. The Court of Bankruptcy shall have and exercise, for the Purposes of this Act, all the Powers and Authorities of the Superior Courts of Law and Equity, and all the Jurisdiction, Powers, and Authorities now possessed by the Court for the Relief of Insolvent Debtors in *England*.

Present and future Commissioners of the Court in London.

2. The present Commissioners of the Court of Bankruptcy shall continue to be Commissioners of the Court. Upon any Vacancy in the Office of Commissioner of the Court of Bankruptcy in *London*, such Vacancy shall not be filled up until the Number of Commissioners of the Court of Bankruptcy in *London* shall, by reason of such Vacancy, be reduced to less than Three, whereupon it shall be lawful for Her Majesty, by Commission under the Great Seal of the United Kingdom, to appoint a Person, being a Serjeant-at-Law, or Barrister-at-Law, of not less than Twelve

Twelve Years Standing at the Bar in *England*, to fill such Vacancy.

Jurisdiction of County Courts under this Act.

3. The Judge of every County Court (except of the Metropolitan County Courts) shall have and exercise within his respective District the like Jurisdiction, Powers, and Authorities, and perform the same Duties for and in respect of all Matters and Things coming before such County Court by virtue of this Act, as are vested in the Commissioners of the District Courts of Bankruptcy.

Power to transfer Jurisdiction, &c. of Commissioners to County Courts in case of Vacancies.

4. If upon any Vacancy in the Office of Commissioner of any Country District Court there shall no longer be a Commissioner for such District, Her Majesty shall have Power, by Order in Council, to transfer all the Jurisdiction, Powers, and Authorities held by the Commissioner to the Judges of the County Courts, or any of them, exercising Jurisdiction within such District or any Part thereof, and the Lord Chancellor shall have Power and Authority, by Order, from Time to Time to provide in all respects for the Exercise of Jurisdiction in Bankruptcy by such County Court Judges or Judge, and for the Continuance of the Exercise of their respective Duties in the whole or any Part of the District by the Official Assignees, Registrar, and other Officers attached to the Court of the Commissioner making such Vacancy.

Power to create additional County Courts, and to invest the Judges thereof with Jurisdiction in Bankruptcy, &c.

5. In case it shall on any Occasion appear to Her Majesty in Council to be expedient to establish an additional County Court or Courts within any One or more of the Country Districts, and to invest the Judge or Judges thereof with the Jurisdiction, Powers, and Authorities of a Commissioner in Bankruptcy within the District or Districts that may be assigned to such Court or Courts, it shall be lawful for Her Majesty, by Order in Council, so to do, and also to make a new Arrangement of the Districts of the Bankruptcy and County Courts respectively, so as to assign a convenient District or Districts to such new Court or Courts, and to give from Time to Time all necessary Directions for the Establishment thereof, and such Order shall be laid before Parliament, and shall not come into Operation until Three Months afterwards.

Appointment, Qualifications, &c. of Judges.

6. The Judge of any such new Court shall be appointed by the Lord Chancellor, and shall be either a Serjeant-at-Law or a Barrister-at-Law, who shall be of Seven Years Standing at the Bar in *England*, or who shall have practised as a Barrister and Special Pleader for at least Seven Years; and every such Judge, in addition to the Jurisdiction of a County Court Judge, shall have and exercise within the District assigned to him all the Jurisdiction, Powers, and Authorities of the Commissioners of the Country District Courts of Bankruptcy.

Oath to be taken by Judges before acting in Bankruptcy.

7. Every Judge of a County Court shall, before acting in Bankruptcy, take at any Quarter Sessions the following Oath:

'I *A. B.* do solemnly and sincerely promise and swear, That I will duly and faithfully, and to the best of my Skill and Power, execute the Office of County Court Judge acting in Bankruptcy. So help me GOD.'

And such Oath shall be recorded in the Court of the Judge taking the same.

As

As to the Officers of the Court:

Chief Registrar, &c. to hold Office during good Behaviour, &c.

8. The Persons now discharging the Duties of Chief Registrar, Registrars, Taxing Master, and Official Assignees of the Court of Bankruptcy in *London*, and in the several District Courts of Bankruptcy, shall retain and hold Office during good Behaviour, subject to Dismissal by the Lord Chancellor, by Order, for some sufficient Reason to be set forth in such Order. Upon any Vacancy in the Office of Registrar, such Vacancy shall be filled up by the Lord Chancellor.

Power to appoint additional Registrars.

9. If the Lord Chancellor shall at any Time, by Order, declare that, having regard to the State of the Business of the Court of Bankruptcy and the Duties of the Registrars, he is of opinion that additional Registrars ought to be appointed, either in *London* or in any Country District, it shall be lawful for the Lord Chancellor to appoint such additional Registrars.

As to Duties of County Court Registrars.

10. The Registrars of the several County Courts exercising Jurisdiction under this Act shall discharge the Duties of Registrar and Official Assignee in all Matters under this Act within their several Districts in such Manner, and shall give such Security in respect of such Office of Official Assignee, and shall receive such Remuneration in respect of such Services, as General Orders shall direct; and all the Enactments herein contained with respect to Official Assignees shall apply to the Registrars of the County Courts as to all Matters under this Act prosecuted therein.

As to Duties of High Bailiffs of County Courts.

11. The High Bailiffs of the several County Courts exercising Jurisdiction under this Act shall discharge the Duties of Messenger in all Matters of Bankruptcy within their several Districts in such Manner, and shall give such Security in respect of such Duties, and shall receive such Remuneration in respect of such Services, as General Orders shall direct.

Abolition of Office of Accountant in Bankruptcy when vacant.

12. Upon the First Vacancy in the Office of Accountant in Bankruptcy the Office shall be abolished, and the Duties thereof shall thereafter be discharged by the Chief Registrar, and the several Funds standing in the Books of the Bank of *England* to the Credit of such Accountant shall be transferred to such Account or Accounts in the Name of the Chief Registrar, and in such Manner, as General Orders shall direct.

Taxing Master.

13. All Bills of Costs, Charges, Fees, and Disbursements of Solicitors and Attorneys in Matters under this Act before the Court of Appeal in Chancery sitting in Bankruptcy and the Court in *London*, and such taxable Bills as may be specially referred to the Master by any District Court or any County Court, shall be taxed by the Master, subject to the Review of the Court in *London*.

Registrar in Country Districts to be Taxing Officers.

14. In every Country District Court, and in every County Court exercising Jurisdiction under this Act, all Bills of Costs, Charges, Fees, and Disbursements aforesaid shall (unless where such Court shall otherwise direct) be taxed and settled by the Registrar of such Court, subject to Appeal to the Court of which he is Registrar. It shall be lawful for the Commissioner of any District Court, or Judge of any County Court, to refer any such Bills, or any Question thereon, to the Taxing Master in *London*.

15. All

As to Settlement of Charges of Auctioneers, Appraisers, Valuers, and Accountants.

15. All Charges, Fees, and Disbursements of any Auctioneer, Appraiser, Broker, Valuer, or Accountant, or any other Person, not being an Attorney or Solicitor, in any Matter under this Act or any other Act in force relating to Bankrupts, shall be settled by the Master, except such Charges, Fees, or Disbursements as shall be incurred in any District Court or County Court, and in such Cases shall be settled by the Registrars of the Court in which they arise, in such Manner as General Orders shall direct, and subject to the Review of the Court; and the Amount of the Bills so settled, and no more, shall be recoverable.

Reduction in the Number of Official Assignees.

16. Upon any Vacancy in the Office of Official Assignee of the Court in *London* the same shall not be filled up unless the Number of Official Assignees in the *London* District shall by reason of such Vacancy be reduced to less than Five. Any Vacancy in the Office of Official Assignee in a Country District shall not be filled up if there be another Official Assignee within such District.

Messengers.

17. The Persons now discharging the Duty of Messenger in the Court of Bankruptcy in *London*, and in the several District Courts of Bankruptcy in the Country, shall continue to act as such Messengers, in such Manner, and subject to such Regulations, and shall give such Security, as General Orders shall direct, and shall be subject to Dismissal by the Lord Chancellor by Order, for some sufficient Reason to be set forth in such Order. Upon any Vacancy in the said Office, such Office shall not be filled up until the Number of Messengers in the Court in *London* shall have been reduced to Two, and in any District Court of Bankruptcy in the Country to One. Any Vacancy thereafter occurring may, if necessary, be filled up by the Lord Chancellor by the Appointment of some fit Person.

As to filling up Vacancies:

Vacancies need not be filled up.

18. Upon any future Vacancy in the Office of Commissioner or Registrar (other than of Chief Registrar), or in any other Office in the Court of Bankruptcy, the Lord Chancellor may, if, having regard to the then State of the Business of the Court, he shall so think fit, by Order declare that such Vacancy shall not be filled up until further Order, and thereupon the same shall not be filled up, unless and until the Lord Chancellor shall by Order declare that, having regard to the then State of Business of the Court, he is of opinion that such Vacancy ought to be then filled up, and thereupon the same may be filled up as if such first-mentioned Order had not been made.

As to the Court for the Relief of Insolvent Debtors in *England*:

Commissioners of Insolvent Debtors Court released.

19. The Jurisdiction, Authorities, and Functions of the Chief Commissioner and Commissioner of the Court for Relief of Insolvent Debtors in *England* shall cease and be discontinued, and the said Chief Commissioner and Commissioner shall be released from their Duties as such, subject nevertheless to the Obligation of performing such Duties and Services as are herein-after provided.

Insolvent Jurisdiction of County Courts discontinued.

20. The Jurisdiction of the County Courts in the Relief of Insolvent Debtors shall cease; provided that all Matters of Insolvency

venty pending at the Commencement of this Act in any of the said Courts shall proceed and be completed therein as if this Act had not been passed.

As to Provisional Assignees.

21. The Person now exercising the Office of Provisional Assignee of the Court for the Relief of Insolvent Debtors in *England* shall be an Official Assignee of the Court of Bankruptcy, and shall act as such Official Assignee in the Court in *London*, and shall hold Office during good Behaviour, subject to Dismissal by the Lord Chancellor by Order, for some sufficient Reason to be set forth in such Order, and he shall perform the same Duties, and receive the same Salary, Remuneration, and Allowances, as the other Official Assignees.

As to Duties of other Officers of Insolvent Debtors Court.

22. The Persons now discharging the Duties of Chief Clerk, Clerks, and Taxing Officer of the Court for the Relief of Insolvent Debtors in *England* shall be transferred to, and shall act in such Manner as General Orders shall direct, in the *London* Court. They shall hold Office during good Behaviour, subject to Dismissal by the Lord Chancellor by Order, for some sufficient Reason to be set forth in such Order. No Vacancy in such Offices shall be filled up. Provided that nothing herein contained shall be deemed to deprive any Person now holding Office in the Insolvent Debtors Court of any Benefit to which he may now be or may hereafter become entitled by virtue of the Acts passed in the Fourth and Fifth Years of King *William* the Fourth, Chapter Twenty-four, and the Fifth and Sixth Years of King *William* the Fourth, Chapter Forty-two, relative to Superannuation Allowances; and Service by any such Persons in the Court of Bankruptcy shall for the Purpose of the said Acts be deemed to be equivalent to Service in the Insolvent Debtors Court.

Nothing to deprive Officers of Superannuation Allowances.

Chief Clerk to make Returns of pending Business to Lord Chancellor.

23. The Chief Clerk of the Court for the Relief of Insolvent Debtors in *England* shall, on such Day before the Time appointed for the Commencement of this Act as the Lord Chancellor shall direct, make a Return to the Lord Chancellor of all Business then pending or remaining incomplete in such Court; and the Lord Chancellor may, if he shall think fit, direct such unfinished Matters to be proceeded with and completed before and by the Commissioners of such Court, who for such Purposes shall retain and exercise all the Jurisdiction, Powers, and Authorities now possessed by them respectively.

Power of Courts to proceed summarily in winding up Matters depending.

24. For the Purpose of winding up as expeditiously and conveniently as may be all Petitions, Matters, and Things which shall have been presented to or be depending in the said Court for the Relief of Insolvent Debtors, or any of the County Courts, by virtue of any Act for the Relief of Insolvent Debtors, it shall be lawful for the Commissioners or Judges of such Courts respectively, at any Time after the passing of this Act, to summon, as they shall deem fit, all or any of the Parties to such Petitions, Matters, or Things, or their Solicitors, and thereupon to give such Directions and make such Orders as may be necessary for the Purpose of settling and winding up the same, and to proceed for the Purposes aforesaid in the Absence of the Parties or Solicitors neglecting or refusing to attend such Summons.

25. Every

Recognizances of Sureties entered into for enforcing Attendance of Insolvents, extended.

25. Every Recognizance which may at the Time of the passing of this Act have been entered into by any Person as Surety to the Provisional Assignee of the Court for the Relief of Insolvent Debtors, with Condition that the Insolvent therein mentioned shall duly appear at the Time and Place therein mentioned, shall extend to bind the Person who may have entered into the same, in case the Insolvent Debtor therein mentioned shall not at the Time appointed in such Recognizance duly appear before the Court by which the Petition or Matter of such Insolvent is heard in pursuance of this Act, and on every adjourned Hearing, or shall not abide by the final Judgment of such Court.

Insolvency Fund.

26. All Monies and Government Securities which shall at the Commencement of this Act stand in the Bank of *England* to the Credit of the Account of the Commissioners of the Court for the Relief of Insolvent Debtors in *England*, shall be carried by the Bank of *England*, in such Manner as General Orders shall direct, to the Account of the Accountant in Bankruptcy; and, subject to the Orders of the Court for the Payment thereout of any Dividend, or for the Distribution of any Part thereof, in the Matter to which the same originally belonged, shall be applicable in like Manner as at present, or in such Manner as the Lord Chancellor shall by Order direct, towards defraying the Salaries of the Clerks and other Persons hereby transferred from the Insolvent Debtors Court to the Court of Bankruptcy, and towards defraying the Expenses of and incidental to the Discharge of Pauper Prisoners herein-after provided, and also for indemnifying the Provisional Assignee of the Insolvent Debtors Court against all Costs and Expenses incurred or to be incurred by him in any Suit, Action, or other Proceeding.

Records of Court of Insolvency.

27. The Records and Proceedings of every Kind in the Insolvent Debtors Court shall be Records and Proceedings of the Court of Bankruptcy, and shall be kept in such Manner as they now are, subject to Alteration by any General Orders.

As to Salaries:

Chief Commissioner's Salary continued.

28. The Chief Commissioner of the Court for the Relief of Insolvent Debtors shall continue entitled, subject as herein provided, to receive during his Life the full Amount of his Salary as such Chief Commissioner, payable out of the same Fund, on the same Days, and in the same Manner in all respects as if this present Act had not passed.

Salaries of Officers of the Court of Bankruptcy.

29. There shall be paid to the Registrars and other Officers of the Court the several Salaries set opposite to their respective Titles in Schedule (A.) to this Act annexed, and such Salaries shall be payable out of the Chief Registrar's Account, and shall be paid quarterly, free and clear from all Taxes and Deductions whatsoever, except the Tax on Income, on the Eleventh Day of *January*, the Eleventh Day of *April*, the Eleventh Day of *July*, and the Eleventh Day of *October* in every Year, by equal Portions; and when any Person for the Time being holding any of the said Offices shall die, resign, or be removed from the same, the Executor or Administrator of the Person so dying, or the Person so resigning or being removed, shall be entitled to receive such

such proportionate Part of his Salary as shall have accrued during the Time that such Person shall have executed his Office since the last Payment.

Salaries to present Officers of Insolvent Debtors Court.

30. The Chief Clerk, Clerks, Taxing Officer, and other Officers of the Court for the Relief of the Insolvent Debtors in *England* shall, upon being in manner herein provided transferred to the Court of Bankruptcy, severally continue to receive the full Amount of the Salary, Remuneration, Allowances and Compensations, which they now respectively receive, as nearly as may be out of the same Funds and payable in the same Manner in all respects as if this Act had not been passed; and for such Purpose the annual Sums now payable out of Monies voted by Parliament for the Use and Purposes of the Court for Relief of Insolvent Debtors and the Officers thereof shall be paid in future into the Bank of *England*, to the Credit of the Chief Registrar's Account in Bankruptcy.

Fees to be taken by Official Assignees.

31. The Fees to be taken by Official Assignees in respect of the Duties performed by them shall be defined by General Orders. Each Official Assignee shall make a Return half-yearly to the Chief Registrar, in such Manner as General Orders shall direct, of the Amount of Fees received by him during the Six Months preceding the Date of such Return. Each of the present Official Assignees in the *London* District shall receive an annual Salary of Twelve hundred Pounds. Each of the present Official Assignees in the Country Districts shall receive an annual Salary of One thousand Pounds. Every future Official Assignee in the *London* District shall receive an annual Salary of One thousand Pounds. And every future Official Assignee in the Country Districts shall receive an annual Salary of Eight hundred Pounds. All such Salaries shall be paid quarterly out of the Monies standing to the Chief Registrar's Account, and shall be exclusive of such proper Remuneration actually paid to necessary Clerks, and of such reasonable Office Expenses as shall respectively be allowed by the Court. The Official Assignees shall not be entitled to any further Remuneration in respect of any Duties performed by them.

Salaries of Official Assignees.

Remuneration of Messengers.

32. The Messengers shall receive such Remuneration by way of Fees as General Orders shall direct and allow; provided that the total net annual Remuneration to be received by any Messenger in the *London* District shall amount to but not exceed the Sum of Five hundred Pounds, and of any Messenger in the Country Districts the Sum of Four hundred Pounds. Any Surplus of such Fees upon the Aggregate of the Receipts of each Year, after deducting the aforesaid Salaries, and reasonable Payments by the Messengers for Assistance, to be allowed by the Court, shall be paid over by the several Messengers in such Manner and at such Times as General Orders shall direct, to the Credit of the Chief Registrar's Account.

Surplus Fees to be paid over.

As to Retiring Annuities, Compensations, and incidental Expenses:

Retiring Pensions to Officers.

33. The Lord Chancellor may, on a Petition presented to him for that Purpose, order that an Annuity be paid to any Commissioner

Commissioner or Registrar, or to the Accountant in Bankruptcy, or Taxing Master, or other Officer of the Court of Bankruptcy, not exceeding Two Thirds of his Salary, to be paid out of the Chief Registrar's Account, when such Person shall have served in such Office for the full Period of Twenty Years, and shall be above Sixty-five Years of Age, or shall have been appointed to such Office in or previous to the Year One thousand eight hundred and thirty-two, and shall be desirous of retiring, or if such Person shall, before the Period of Twenty Years Service is completed, be afflicted with any permanent Infirmity disabling him from the due Execution of his Office. The Time during which such Person shall have held Office in the Court for Relief of Insolvent Debtors shall be reckoned as Part of such Service of Twenty Years.

Provision as to Annuitants accepting other Public Offices.

34. If any Person to whom an Annuity shall be granted under this Act shall be appointed to and accept any Public Office of an annual Value less than the Amount of such Annuity, such Person, during the Time he may continue in such Office, shall be entitled to receive only so much of his Annuity as shall, together with the Salary of such new Office, be equal to such Annuity. If the Salary attached to such Public Office shall equal or exceed in Amount such Annuity, then during the Time of his Continuance in such Office such Annuity shall altogether cease.

Compensations.

35. The Compensations now payable to the following Holders abolished Offices,—

Patentee of Bankrupts,
The former Commissioners of Bankrupt,
The Clerk of the Hanaper and other Officers of the Lord Chancellor and the Court of Chancery,

and the retiring Annuities now respectively payable out of the Funds standing to the Credit of the Chief Registrar's Account, shall continue to be paid out of the same Funds; but the annual Amount of the said Compensations and retiring Annuities shall be paid into the Bank of *England* to the Credit of the Chief Registrar's Account, by the Commissioners of the Treasury, out of Monies to be from Year to Year voted for that Purpose by Parliament.

Incidental Expenses.

36. The Funds standing to the Account intituled The Chief Registrar's Account shall be subject to all such Orders as have been heretofore duly made, or as shall from Time to Time be made by the Lord Chancellor for Payments thereout in respect of the Salaries of Clerks and other Persons employed in the various Offices of the several Courts of Bankruptcy, and for Stationery, Coals, and Candles for the Use of the same, and for Rent and Repairs of the Buildings, and in respect of all Expenses incidental to carrying this Act into effect; and all Accounts for such Expenses shall be audited and allowed by the Commissioner of the Court in which they have been incurred before any Order for Payment shall be made.

As to Fees and Stamps:

Court Fee abolished.

37. The Court Fee heretofore payable in respect of public private Sittings in Bankruptcy is abolished.

Per-centage upon Estates abolished.

38. The Per-centage heretofore payable by the Fifty-fourth Section of "The Bankrupt Law Consolidation Act, 1849," to the Chief Registrar's Account, on the gross Produce of Estates in the Court of Bankruptcy, is abolished.

General Orders as to Fees. Fees to be received in Stamps.

39. General Orders may from Time to Time direct what Fees, other than those herein directed, shall be paid in respect of any Matters of Bankruptcy or Proceedings under this Act: Provided that all Fees shall be received and taken by means of Stamps having the Word "Bankruptcy" impressed or affixed thereon, in manner herein-after provided.

Fees may be altered by General Order.

40. The Fees by this Act made payable, or any of them, may from Time to Time be varied or abolished by General Orders; and other Fees, but not of an Amount higher than that by this Act prescribed, may be fixed and imposed by such Orders; and the Provisions of this Act respecting Stamps are hereby extended and applied to such Stamps as may be required by General Orders.

Certain Documents to be on stamped Vellum, &c. in lieu of Fees.

41. Every Document enumerated in the Schedule (B.) to this Act annexed shall, in lieu of all Fees thereupon, be printed or written upon Vellum, Parchment, or Paper bearing the Stamp Duty set opposite to such Documents respectively in such Schedule, and having the Word "Bankruptcy" impressed on every such Stamp: Provided that the Commissioners of Inland Revenue, besides such impressed Documents denoting Fees, shall provide like Stamps on adhesive Paper; and all Stamp Duties and Fees directed to be paid under this Act may be paid by means of such Stamps on adhesive Paper affixed to Documents requiring a Stamp Duty: Where any such Document shall consist of more than One Sheet, only the First Sheet thereof shall have such Stamp impressed or affixed thereon.

Documents not to be received without a Stamp.

42. No Document which by this Act or by any General Order is or shall be required to have a Stamp impressed thereon shall be received or filed or be used in relation to any Proceeding in the Courts, or be of any Validity for any Purpose whatever, unless or until the same shall have the proper Stamp impressed or affixed thereon: Provided always, that if at any Time it shall appear that any Document which ought to have had such Stamp has, through Mistake or Inadvertence, been received or filed or used without having such Stamp, the Courts may order that such Stamp shall be impressed or affixed thereon; and when a Stamp shall have been so impressed or affixed on such Document, such Document, and every Proceeding in reference thereto, shall be as valid and effectual as if such Stamp had been impressed or affixed thereon in the first instance: Provided also, that nothing herein contained shall affect the Provisions contained in the Twenty-seventh Section of the Act of the Session of Parliament of the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, Chapter Eighty-three, or the Provisions of "The Common Law Procedure Act, 1854," and that every Stamp on adhesive Paper affixed to a Document shall be deemed a Stamp impressed thereon.

Proviso where so received through Mistake.

43. If

Officers, &c. taking Fees improperly.

43. If any Judge, Commissioner, Registrar, Accountant, Master, Official Assignee, Clerk, or any other Officer of the Courts of Bankruptcy, or of any County Court acting in Matters under this Act, shall, for anything done or pretended to be done under this Act, or under colour of doing anything thereunder, fraudulently and wilfully demand or take, or appoint or allow any Person whatsoever to take, for him or on his Account, or for or on account of any Person by him named, or in trust for him or for any other Person by him named, any Fee, Emolument, Gratuity, Sum of Money, or any Thing of Value whatsoever, other than is allowed by this Act, such Person, when convicted thereof, shall forfeit and pay the Sum of Five hundred Pounds, and be rendered incapable and is hereby rendered incapable of holding any Office or Place under Her Majesty.

Officers of the Court may be dismissed for Fraud or wilful Neglect in relation to Stamps.

44. If any such Judge, Commissioner, Officer, or Person shall fraudulently do, commit, or connive at any fraudulent Act or Practice in relation to any Stamp used or required to be used in any Matter under this Act, or to any Fee or Sum of Money collected or which ought to be collected by means of any such Stamp or otherwise, or shall be guilty of any fraudulent Act, Neglect, or Omission, whereby any Fee which ought to be collected by means of such Stamp or otherwise shall be lost or the Payment thereof evaded, such Judge, Commissioner, Officer, or Person so offending shall be liable to be dismissed from his Office or Employment.

As to General Orders:

Purposes for which General Orders are to be framed.

45. The Lord Chancellor shall, with the Assistance of Two Commissioners, and subject to the Provisions of this Act, frame General Orders for the following Purposes:

For regulating the Practice and Procedure of the Courts of Bankruptcy, and the several Forms of Petitions, Orders, and other Proceedings to be used in the said Courts, in all Matters under this Act;

For regulating the Duties of the various Officers of such Courts;

For regulating the Fees payable and the Charges and Costs to be allowed with respect to all Proceedings before such Courts, and before the County Courts acting in Bankruptcy;

For regulating the Practice and Procedure upon Appeals;

For regulating the Filing, Custody, and Inspection of Records;

And, generally, for carrying the Provisions of this Act into effect.

General Orders in County Courts.

46. For regulating the Practice and Procedure of the County Courts and the Place and Times of sitting thereof in Matters under this Act, General Orders shall be framed in conformity with the Provisions of this Act, and subject to the Sanction of the Lord Chancellor, by such Judges of the said Courts as the Lord Chancellor shall from Time to Time nominate for that Purpose.

Alteration of General Orders.

47. After such General Orders shall have been so framed they or any of them may be rescinded or varied, and other General Orders may be framed in manner aforesaid; and all General

General Orders to be laid before Parliament.

Orders so framed from Time to Time shall be laid before both Houses of Parliament within One Month after the Approval thereof by the Lord Chancellor, if Parliament be then sitting, or if Parliament be not then sitting, within One Month from the Commencement of the then next Session of Parliament.

As to the Sittings of the Court:

Sittings of the Court.

48. The *London* and District Courts of Bankruptcy shall sit for the Despatch of Business daily throughout the Year, *Sunday*, *Christmas Day*, *Good Friday*, *Monday* and *Tuesday* in *Easter* Week, and Days appointed for Public Fast or Thanksgiving, excepted.

Lord Chancellor to regulate Sittings in Vacation.

49. During the Time appointed by Order for Vacations in the High Court of Chancery the Lord Chancellor shall have full Power and Authority to regulate the Sittings of the Court, and appoint the Attendance of such Commissioner or Commissioners as shall appear necessary for the due Administration of Justice in the said Court.

As to the Practice and Procedure of the Court:

Evidence, how to be taken.

50. The several Courts exercising Jurisdiction under this Act may, in all Matters within their respective Jurisdictions, take the whole or any Part of the Evidence either *viva voce* on Oath, or by Interrogatories in Writing, or upon Affidavit, or by Commission abroad.

Judges may sit at Chambers.

51. The Commissioners may sit at Chambers for the Despatch of such Part of the Business of their Courts as can, without Detriment to the Public Advantage arising from the Discussion of Questions in open Court, be heard in Chambers; and when sitting at Chambers they shall have in all respects like Power and Jurisdiction as when sitting in Court.

Registrars, their Powers and Jurisdiction.

52. The Registrars of the Court of Bankruptcy shall have Power to make Adjudication of Bankruptcy, to receive the Surrender of any Bankrupt, to grant Protection, to pass the last Examination of any Bankrupt in Cases wherein the Assignees and Creditors do not oppose, to hold and preside at Meetings of Creditors, to audit and pass Accounts of Assignees, and to sit in Chambers, and despatch there such Part of the administrative Business of the Court, and such uncontested Matters as shall be defined in General Orders, or as the Commissioner in any particular Matter shall direct; but nothing herein contained shall empower a Registrar to commit, or to hear a disputed Adjudication, or any Question of the Allowance or Suspension of an Order of Discharge. The Registrar may adjourn any Matter coming before him for the Consideration of the Commissioner.

Registrars to sit in Chambers.

County Court Registrars.

The Lord Chancellor may, by Order, from Time to Time authorize the Registrar of any County Court to exercise any of the Powers hereby given to the Registrars of the Court of Bankruptcy.

Parties may take Opinion of the Commissioner.

53. Any Party shall, during the Proceedings before a Registrar, be at liberty to take the Opinion of the Commissioner upon any Point or Matter arising in the Course of such Proceedings, or upon the Result of such Proceedings, which shall be stated by the Registrar in the Shape of a short Certificate to the Commissioner,

Commissioner, who shall sign the same, if he approve thereof; and such Certificate, so signed, shall be binding on all the Parties to the Proceeding; but every such Certificate may be discharged or varied by the Commissioner, at Chambers or in open Court. Certificates to be binding.

54. Parties and Witnesses summoned before a Registrar shall be bound to attend in pursuance of such Summons, and shall be liable to Process of Contempt in like Manner as Parties and Witnesses are now liable thereto in case of Default in Attendance under any Writ of Subpœna; and all Persons wilfully and corruptly swearing or affirming falsely before a Registrar shall be liable to all the Penalties, Punishments, and Consequences of Perjury. Penalties upon Parties and Witnesses not attending, &c. before Registrar.

55. If any Person examined before a Registrar shall refuse or decline to answer or to swear to or sign his Examination when taken, the Registrar shall refer the Matter to the Commissioner, who shall have Power to order the Person so acting to pay the Costs thereby occasioned, if such Person be compellable by Law to answer such Question, or to sign such Examination. Persons refusing to answer may be ordered to pay Costs.

56. In any Bankruptcy or any other Proceeding within the Jurisdiction of the Court the Parties concerned or submitting to such Jurisdiction may, at any Stage of the Proceedings, by Consent, state any Question or Questions in a Special Case for the Opinion of the Court, and the Judgment of the Court shall be final, unless it be agreed and stated in such Special Case that either Party may appeal. Special Case.

57. The Parties may, if they think fit, agree that, upon the Question or Questions raised by such Special Case being finally decided, a Sum of Money, fixed by the Parties, or to be ascertained by the Court, or in such Manner as the Court may direct, or any Property, or the Amount of any disputed Debt or Claim, shall be paid, delivered, or transferred by one of such Parties to the other of them, either with or without Costs. Payment of Money by Party on Judgment being given.

58. The Courts of Bankruptcy may direct a Registrar to attend at any Place within the District of the Court to which he is attached, for the Purpose of holding any Meeting of Creditors, of receiving Proof of Debts, and generally for the Prosecution of any Bankruptcy or other Proceeding under this Act; and the travelling and incidental Expenses of such Registrar, and of any Clerk or other Officer attending him, incurred in so acting, shall be settled by such Court, and paid out of the Assets of the Estate in respect of which such Registrar has so acted, or if there be no such Assets, or if the Assets be insufficient, then out of the Chief Registrar's Account; and such Registrar so acting shall have and exercise all Powers, except the Power of Commitment, vested in such Court for the summoning and Examination of Persons or Witnesses, and for requiring the Production of Books, Papers, and Documents: Provided always, that all Depositions and Examinations of Persons and Witnesses taken before such Registrar, and all Acts done by him, shall be reduced to Writing, and be signed by such Registrar, and shall be annexed to and form Part of the Proceedings. Courts may direct Registrar to hold Meetings, &c. Expenses of such Registrar, &c. Powers of Registrar so acting.

Questions of Fact may be tried by a Jury.

59. It shall be lawful for the Judges of the Court of Appeal in Chancery to direct any Question of Fact to be tried and determined before themselves by the Verdict of a Special or Common Jury. The Judges of the said Court of Appeal in Chancery may make all such Rules and Orders upon the Sheriff or any other Person for procuring the Attendance of a Special or Common Jury for the Trial of such Question as may now be made by any of the Superior Courts of Common Law at *Westminster*, and also may make any other Orders which may be requisite for the Purpose of such Trial; and every such Jury shall consist of Persons possessing the like Qualifications, and shall be struck, summoned, and balloted for and called, in like Manner as if such Jury were a Jury for the Trial of any Cause in any of the said Superior Courts; and every Juryman so summoned shall be entitled to the same Rights, and be subject to the same Duties and Liabilities, as if he had been duly summoned for the Trial of a Civil Action in any of the said Superior Courts; and every Party to any such Proceeding shall be entitled to the same Rights, as to Challenge and otherwise, as if he were a Party to a Cause in any of the said Superior Courts; and at the Trial the Jury shall be sworn to try the said Question of Fact, and a true Verdict to give thereon, according to the Evidence; and upon every such Trial such Court shall have the same Powers, Jurisdiction, and Authority as any Judge of the Superior Courts of Common Law sitting at Nisi Prius.

Issues may be directed.

60. It shall be lawful for the Judges of the Court of Appeal in Chancery respectively to direct One or more Issue or Issues to be tried in any Court of Common Law, and either before a Judge of Assize in any County, or if required by Circumstances, at the Sittings for the Trial of Causes in *London* or *Middlesex*, and either by a Special or Common Jury, in like Manner as is now done by the Court of Chancery.

Appointment of Shorthand Writers.

61. In order to facilitate the Business of the Courts of Bankruptcy in taking Examinations, or the Evidence of Parties examined *vivâ voce*, the Court may, in any Matter of Bankruptcy or other Proceeding within the Jurisdiction of Courts, direct the Employment of a Shorthand Writer; and General Orders shall direct under what Regulations such Shorthand Writer shall be employed, and the Amount of the Remuneration to be allowed him, and the Parties by whom such Remuneration shall be paid.

Declaration to be made by Shorthand Writer.

62. Every Shorthand Writer so employed by the Court shall in every Case make in Court the following Declaration:

'I *A.B.* do solemnly and sincerely declare, That I will faithfully and truly take down the Questions and Answers put to and given by Persons to be examined in this Matter, and will deliver true and faithful Transcripts thereof, as the Court shall direct.'

Sealing and Signature of Warrants.

63. Every Warrant issued by any Court under this Act shall be under the Seal of the Court, and the Hand of the Commissioner; and every Summons shall be under the Hand of the Registrar, and under the Seal of the Court.

Records and Proceedings to be sealed.

64. The Courts shall cause to be sealed with the Seal of the Courts all such Records, Proceedings, Documents, and Copies of the

the same as are by this Act or shall be by General Orders required to be so sealed, and such other Records, Proceedings, Documents, and Copies of the same as the Courts shall at any Time direct.

Want of Form, where not to invalidate Proceedings.

65. No Rule, Order, Warrant, or other Proceeding or Document required by this Act to be in a Form given in the Schedules to this Act, or to be given by any General Order, shall be invalidated by reason of any Want of Form or Omission therein, if such Want of Form or Omission shall not in the Opinion of the Court before which the same shall be brought be calculated to mislead or prejudicially affect any Party.

Appeal from County Courts.

66. Every Decision or Order of the Judge of any County Court acting in Bankruptcy under this Act shall be subject to Appeal to the Court of Appeal in Chancery, in like Manner and under the same Rules and Regulations as are now directed with respect to Appeals from the *London* and District Courts of Bankruptcy to the said Court of Appeal, or as may hereafter be directed by General Orders.

Returns to Parliament.

67. The Registrars, Accountant in Bankruptcy, Master, Official Assignees, and Messengers of the Court in *London* and of the District Courts of Bankruptcy, and the Registrars of the County Courts acting in Bankruptcy, shall make to the Chief Registrar, in such Manner and Form as General Orders shall direct, annual Returns of the Business of their respective Offices, and from such Returns the Chief Registrar shall frame a general Return, judicial and financial, as to all Matters within this Act, and such general Return shall be laid before Parliament by the Lord Chancellor as early as may be after the Completion thereof; and the Returns to the Chief Registrar shall be kept by him of Record, and shall be open to the Inspection of Persons desirous of inspecting the same, on Payment of the Fee for Inspection of Proceedings set forth in Schedule (B.) to this Act.

Buildings.

As to the Buildings occupied for the Purposes of the Courts:

68. The Building in *Basinghall Street* in the City of *London* called the Court of Bankruptcy, and the Building in *Portugal Street, Lincoln's Inn Fields,* called the Court for the Relief of Insolvent Debtors in *England,* together with the Pieces or Parcels of Ground on which the same are severally erected, shall vest in the Commissioners of Her Majesty's Works and Public Buildings, and shall be appropriated to such Purposes as the Lord Chancellor shall direct.

As to the Persons subject to this Act:

Abolition of Distinction between Trader and Non-trader.

69. All Debtors, whether Traders or not, shall be subject to the Provisions of this Act; but no Debtor who is not a Trader shall be adjudged bankrupt except in respect of some one of the Acts of Bankruptcy herein-after described as applicable to a Non-trader.

As to Acts of Bankruptcy:

Non-trader going or remaining abroad, &c. with Intent to

70. If any Person, not being a Trader, shall, with Intent to defeat or delay his Creditors, depart this Realm, or being out of this Realm shall with such Intent remain abroad, or shall with such Intent make any fraudulent Conveyance, Gift, Delivery, or

defeat or delay his Creditors.

Transfer of his Real or Personal Estate, or any Part thereof respectively, such Person shall be deemed to have thereby committed an Act of Bankruptcy: Provided always, that before any Adjudication in Bankruptcy shall be made against the Debtor under this Section the following Rules shall be observed:

Rules to be observed before Adjudication under this Section.

1. A Copy of the Petition for Adjudication shall be served personally on the Debtor, either within the Jurisdiction, or in such Place or Country, or within such Limits abroad, as the Court shall, upon Application for that Purpose, direct:
2. Such Copy Petition shall have endorsed thereon a Memorandum, in a Form to be settled by a General Order, specifying the Time within which the Debtor is to appear on such Petition; and such Time shall, when the Service is to be made abroad, be the Time which the Court shall think reasonable, having regard to the Place or Country where the Service is to be made:
3. In no Case shall the Time for Appearance be less than Thirty Days after Service:
4. If such personal Service has not been effected, the Court must be satisfied that every reasonable Effort was made to effect the same, and that the Attempts to serve such Petition came to the Knowledge of the Debtor and were defeated by his Conduct:
5. If at the Expiration of the Time limited for Appearance the Court shall on the Hearing of such Petition be satisfied that an Act of Bankruptcy has been committed within the Meaning of this Section, it may adjudge such Debtor to be a Bankrupt:

Proviso.

Provided always, that no Non-trader, who shall be abroad at the Time of the passing of this Act, shall be deemed to remain abroad with Intent to defeat or delay his Creditors until the Expiration of Six Months after the passing of this Act.

Trader or Non-trader lying in Prison, or escaping out of Prison.

71. If any Debtor, whether a Trader or not, having been arrested or committed to Prison for Debt, or on any Attachment for Nonpayment of Money, shall, upon such or any other Arrest or Commitment for Debt or Nonpayment of Money, or upon any Detention for Debt, lie in Prison, being a Trader, for Fourteen Days, or, not being a Trader, for Two Calendar Months, or, having been arrested for any Cause, shall lie in Prison as aforesaid, after any Detainer for Debt lodged against him, and not discharged, every such Debtor shall thereby be deemed to have committed an Act of Bankruptcy; or if any such Debtor, having been arrested, committed, or detained for Debt, shall escape out of Prison or Custody, every such Debtor shall be deemed to have thereby committed an Act of Bankruptcy from the Time of such Arrest, Commitment, or Detention: But no Debtor shall be adjudged bankrupt on the Ground of having lain in Prison as aforesaid, unless having been summoned he shall not offer such Security for the Debt or Debts in respect of which he is imprisoned or detained, as the Commissioner or Registrar whose Duty

Duty it would otherwise be to adjudicate, shall deem reasonably sufficient.

Trader or Non-trader filing a Declaration that he is unable to meet his Engagements.

72. If any Debtor, whether a Trader or not, shall file in the Office of the Chief Registrar, or with the Registrar of a District Court of Bankruptcy, or of a County Court having Jurisdiction in Bankruptcy, a Declaration in Writing, in such Form as General Orders shall direct, signed by such Debtor, and attested by a Registrar of the Court, or by an Attorney or Solicitor, that he is unable to meet his Engagements, every such Debtor shall be deemed thereby to have committed an Act of Bankruptcy at the Time of filing such Declaration, provided a Petition for Adjudication of Bankruptcy shall be filed by or against him within Two Months from the filing of such Declaration.

Trader Debtor suffering Execution to be levied.

73. If any Execution shall be levied by Seizure and Sale of any of the Goods and Chattels of any Trader Debtor, upon any Judgment recovered in any Action Personal for the Recovery of any Debt or Money Demand exceeding Fifty Pounds, every such Debtor shall be deemed to have committed an Act of Bankruptcy from the Date of the Seizure of such Goods and Chattels: Provided always, that, unless in the meantime a Petition for Adjudication of Bankruptcy against the Debtor be presented, the Sheriff or other Officer making the Levy shall proceed with the Execution, and shall at the End of Seven Days after the Sale pay over the Proceeds, or so much as ought to be paid, to the Execution Creditor, who shall be entitled thereto notwithstanding such Act of Bankruptcy, unless the Debtor be adjudged a Bankrupt within Fourteen Days from the Day of the Sale, in which Case the Money so received by the Creditor shall be paid by him to the Assignee under the Bankruptcy, but the Sheriff or other Officer shall not incur any Liability by reason of anything done by him as aforesaid: Provided also, that, in case of Bankruptcy, the Costs and Expenses of such Action and Execution shall be retained and paid out of the Proceeds of the Sale, and the Balance only, after such Payment, be paid to the Assignees.

Goods, &c. taken in Execution to be sold by Auction.

74. Wherever the Goods and Chattels of a Debtor are sold under an Execution upon any Judgment recovered in any Action or Suit brought for the Recovery of a Debt, Money Demand, or Damages against any Debtor, exceeding Fifty Pounds, such Goods and Chattels shall in all Cases, unless the Court shall otherwise direct, be sold by the Sheriff by Public Auction, and not by Bill of Sale or Private Contract, and such Sale shall be publicly advertised by the Sheriff on and during Three Days next preceding the Day of Sale.

As to Petition by or against Trader or Non-trader, followed by Adjudication, in the Foreign Dominions of the Crown.

75. The filing of a Petition by or against a Debtor, whether a Trader or not, in any Court having Jurisdiction for the Relief of Insolvent Debtors in Insolvency or Bankruptcy in any of Her Majesty's Dominions, Colonies, or Dependencies, and the Adjudication of an Act of Insolvency or Bankruptcy on such Petition, shall, for the Purposes of this Act, be accounted and adjudged conclusive Evidence of an Act of Bankruptcy committed by such Debtor at the Time of filing such Petition, or of the filing the Petition on which the Adjudication of an Act of Insolvency or

of

of Bankruptcy shall have been made; and any Creditor or Creditors of such Debtor whose Debt or Debts shall be of sufficient Amount to enable him or them to petition for Adjudication of Bankruptcy under this Act may, at any Time within Two Months after Notice of such Adjudication shall have been given in the *London Gazette*, petition for Adjudication of Bankruptcy under this Act against such Debtor, and under such Petition all such Proceedings may be had and taken as are authorized and directed by this Act.

As to an Act of Bankruptcy by Nonpayment after Judgment Debtor Summons, and the Proceedings thereupon:

Judgment Debtor Summons against Traders and Non-traders; who may sue them out, and when.

76. Every Judgment Creditor who is or shall be entitled to sue out against a Debtor a Writ of Capias ad satisfaciendum, or to charge the Debtor in Execution, in respect of any Debt amounting to Fifty Pounds, exclusive of Costs, shall be entitled, at the End of One Week from the signing of Judgment, to sue out against the Debtor if a Trader, or not being a Trader at the End of One Calendar Month, and whether he be in Custody or not, a Summons, to be called a Judgment Debtor Summons, requiring him to appear and be examined respecting his Ability to satisfy the Debt.

The like, in Cases of Disobedience to Decree in Equity, or Order in Bankruptcy, Insolvency, or Lunacy.

77. Where, after the Commencement of this Act, a Decree or Order of a Court of Equity, or an Order in Bankruptcy or Insolvency or Lunacy, directing the Payment of Money, is disobeyed by the Debtor, the same having been duly served on him, and the Person entitled to receive the Money or interested in enforcing Payment of it has obtained a peremptory Order of the competent Jurisdiction, fixing a Day for Payment, and the Debtor does not, being a Trader, within Seven Days, or, not being a Trader, within Two Calendar Months, after Service on him of the peremptory Order, or, such Order having been duly served, within Seven Days after the Day fixed by the peremptory Order for Payment, (which shall last happen,) pay the Money, or secure, or tender or compound for it, to the Satisfaction of the Creditor, the Creditor shall be entitled at the End of those Seven Days to sue out against the Debtor a Judgment Debtor Summons.

Court out of which such Summons shall issue.

78. The Judgment Debtor Summons shall, unless the Court shall in any Case otherwise direct, issue according to the following Rules:

Where the Debtor is in *England*, then out of the Court of Bankruptcy for the District in which the Debtor usually lives, or at the Time of the issuing of the Summons happens to be:

Where the Debtor is not in *England*, then out of the Court of Bankruptcy for the District in which is the Debtor's usual or last known Place of Abode in *England*.

Service of Summons.

79. Where the Debtor is in *England* the Summons shall be served personally, unless the Court issuing the same shall in any Case direct that Service in some other Manner shall be good Service: Where the Debtor is not in *England*, the Court, upon such Evidence as shall satisfy it that the Service will be effectual to give Notice to the Debtor, may order Service to be made in such

such Manner and Form as it shall deem fit, and shall appoint a Time by such Order for the Appearance of the Debtor.

Duplicate of Summons.

80. Where the Debtor is in Custody a Duplicate of the Summons shall be delivered to the Sheriff or other Person in whose Custody he is, who shall bring him up according to the Summons, at the Costs of the summoning Creditor.

Where Service cannot be effected, &c., Court may order Notice, &c.

81. If Service of the Summons be not effected, and the Court is satisfied that the Debtor is keeping out of the Way to avoid Service, it may order that One or more Notices be inserted in the *London Gazette* and in One or more Newspapers published in the District in which is the Debtor's usual or last known Place of Abode, requiring him to appear on a Day named, being not less than Fourteen Days after the Publication of the first Notice.

Procedure upon Appearance of Debtor.

82. Upon the Appearance of the Debtor he may be examined on Oath, by or on behalf of the Creditor and by the Court, respecting his Ability to satisfy the Debt, and for the Discovery of Property applicable in that Behalf, and shall be bound to produce, on Oath or otherwise, such Books, Papers, and Documents in his Possession or Power relating to Property applicable or alleged to be applicable to the Satisfaction of the Debt, as the Court shall think fit, and to sign his Examination when reduced into Writing; and any Debtor refusing to be sworn, or who shall upon Examination refuse or wilfully fail to discover fully and truly, to the best of his Knowledge and Belief, all his Property, Real and Personal, inclusive of his Rights and Credits, and to produce all Books, Papers, and Documents in his Possession or Power relating thereto, shall be liable to be committed by the Court as in the Case of a Bankrupt.

Adjudication upon Summons, and Nonpayment for Failure to secure, &c.

83. If, after Service of such Summons, or due Notice thereof, as aforesaid, the Debtor shall not pay the Debt and Costs, or secure or compound for the same to the Satisfaction of the Creditor, the Court may, on the Appearance of the Debtor, or if he shall not appear, having no lawful Impediment allowed by the Court, adjudge him bankrupt, without the Presentation of a Petition for Adjudication or other Proceeding; and where the Debtor has not appeared, Notice of such Adjudication shall be served upon him in like Manner as herein provided with respect to Service of the Summons.

Time to show Cause against Adjudication; when to become absolute.

84. The Debtor shall be allowed Seven Days from such Notice, or such further Time as the Court shall think fit, for appearing to show Cause against the Adjudication; and if he appear within the Time allowed, and show sufficient Cause, the Adjudication may be annulled; otherwise, at the End of the Time allowed, or on the Judgment of the Court against the Sufficiency of the Cause shown, the Adjudication shall become absolute, and Notice thereof shall be forthwith given in the *London Gazette;* and the Adjudication shall have relation back to the Service of the Summons, or the Insertion of the first Notice in the *London Gazette*, as the Case may be; and the Stamp Duty payable upon the Presentation of a Petition for Adjudication of Bankruptcy shall be paid in respect of Adjudication

Stamp Duty thereupon.

judication under this Section or under the last preceding Section by the Official Assignee or Creditors Assignee, as the Case may be, out of the first Monies that shall be received under the Estate of the Bankrupt.

Debtor refusing to conform.

85. The Provisions contained in Section Two hundred and sixty of "The Bankrupt Law Consolidation Act, 1849," relating to the Committal of a Person refusing to be sworn, or doing or omitting the other Acts or Things therein mentioned, shall apply to a Debtor appearing on a Judgment Debtor Summons.

As to Petitions for Adjudication of Bankruptcy, and the Proceedings thereupon:

Debtor may petition for Adjudication.

86. Any Debtor may petition for Adjudication of Bankruptcy against himself, and the filing of such Petition shall be an Act of Bankruptcy, without any previous Declaration of Insolvency by such Debtor.

Proceedings to obtain Adjudication to be by Petition upon Oath.

Proceedings, &c. upon filing Petition.

87. Proceedings to obtain Adjudication of Bankruptcy shall be by Petition, on the Oath of the Petitioner. Every such Petition shall be filed of Record, and prosecuted as directed by this Act; and from and after the filing of such Petition, in the Case of a Debtor petitioning against himself, and from and after Adjudication, in the Case of a Petition filed against a Debtor who shall be adjudged bankrupt, the Bankrupt personally and all his Estate and Effects, of what Nature or Kind soever, shall be subject to the Law of Bankruptcy.

Where Petition shall be filed and prosecuted.

88. Every Petition for Adjudication of Bankruptcy, except as herein-after provided, shall be filed and prosecuted in the Court of Bankruptcy within the District of which such Debtor shall have resided or carried on Business for the Six Months next immediately preceding the Time of filing such Petition, or for the longest Period during such Six Months; but the Court in *London* may order any such Petition to be prosecuted in any District, with or without reference to the District in which the Debtor shall have so resided or carried on Business, or may consolidate the Proceedings or any Part thereof under Two or more Petitions for Adjudication of Bankruptcy, or may impound any Petition for Adjudication of Bankruptcy, or Judgment Debtor Summons, and the Proceedings thereunder, or any Part thereof, upon such Terms as the Court shall think fit, or may transfer any Petition for Adjudication of Bankruptcy, or Judgment Debtor Summons, and the Proceedings thereunder, and the Prosecution or further Prosecution thereof, from the Court in any one District to the Court in any other District, or to a County Court having Jurisdiction in Bankruptcy; and the Court to which any such Transfer shall be made may remove the Official Assignee, and appoint a new Official Assignee to any such Bankruptcy.

Powers to consolidate, impound, and transfer Proceedings upon Petitions.

Amount of Petitioning Creditor's Debt.

89. The Amount of the Debt of any Creditor petitioning for Adjudication of Bankruptcy against a Debtor, whether a Trader or not, shall be as follows; that is to say,

The Debt of a single Creditor, or of Two or more Persons being Partners, shall amount to Fifty Pounds or upwards:

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The Debt of Two Creditors shall amount to Seventy Pounds or upwards:

The Debt of Three or more Creditors shall amount to One hundred Pounds or upwards:

Every Person who has given Credit to any Debtor upon valuable Consideration for any Sum payable at a certain Time, which Time shall not have arrived when such Debtor committed an Act of Bankruptcy, may so petition or join in petitioning, whether he shall have any Security for such Sum or not.

Debt of Petitioning Creditor of a Non-trader, &c.

90. The Debt of the Petitioning Creditor of any Debtor not being a Trader, and not being at the Time a Prisoner against whom such Creditor would have been entitled to obtain a Vesting Order in Insolvency if this Act had not passed, must be a Debt contracted after the passing of this Act; and the Judgment Debtor Summons must be a Summons in respect of a Debt contracted or of a Liability incurred after the passing of this Act.

Petition fraudulently or maliciously filed, Court may order Satisfaction.

91. If the Debt stated by the Petitioning Creditor in his Affidavit, or in his Petition for Adjudication, to be due to him from any Debtor, shall not be really due, or if, after a Petition for Adjudication of Bankruptcy filed, it shall not have been proved that the Person against whom such Petition has been filed was liable to an Adjudication of Bankruptcy at the Time of the filing of such Petition, and it shall also appear that such Petition was filed fraudulently or maliciously, the Courts shall and may, upon Petition of any Person aggrieved by such Petition, examine into the same, and order Satisfaction to be made to him for the Damages by him sustained.

Petition by the public Officer of Copartnership.

92. A Petition for Adjudication of Bankruptcy or Judgment Debtor Summons against any Debtor indebted in the Amount aforesaid to any Copartnership duly authorized to sue and be sued in the Name of a public Officer or Agent of such Copartnership may be filed or sued out by such public Officer or Agent as the nominal Petitioner for and on behalf of such Copartnership; provided such public Officer or Agent shall, in a Declaration signed by him, in such Form as General Orders shall direct, declare that he is such public Officer or Agent, and that he is authorized to sue.

Debtor petitioning to file Statement of Debts.

93. Every Debtor petitioning against himself shall file in Court a full, true, and accurate Statement, verified by the Oath of the Petitioner, of his Debts and Liabilities of every Kind, and of the Names and Residences of his Creditors, and of the Causes of his Inability to meet his Engagements, within such Time after filing his Petition, and in such Form, as General Orders shall direct.

Debtors residing in Metropolitan District to file Petition in London Court; not residing in Metropolitan District, in County Court.

94. Where a Debtor petitions for Adjudication against himself, and knows or verily believes the Debts justly due and proveable under the Bankruptcy to amount in the whole to a Sum not exceeding Three hundred Pounds, such Fact shall be stated on Oath, and if he be resident within the Metropolitan District as herein defined, he shall file his Petition in the *London* Court of Bankruptcy, and where such Debts shall not exceed Three hundred Pounds, and the Debtor shall not be resident in the Metropolitan District, he shall file his Petition in the County Court

Court for the District in which he shall have resided for the Six Months next before the filing of his Petition, or for the longest Period during those Six Months, unless he is in Custody, and then in the County Court for the District in which he is in Custody; but such Court, if it make Adjudication, shall transfer the Proceedings to the County Court in which the Debtor, if not in Custody, would have been required to petition.

Notice to Gaoler.

95. Every Debtor who shall present a Petition for Adjudication whilst a Prisoner in any Prison or Gaol shall by Writing give Notice to the Keeper of such Gaol or Prison of his Intention so to do, and shall in his Petition state that such Notice has been given.

Where Petitioner does not proceed, Power for Court to adjudicate.

96. If the Petitioning Creditor shall not proceed and obtain Adjudication within Three Days after his Petition shall have been filed, or within such extended Time as shall be allowed by the Court, the Court may, at any Time on the Expiration of such Three Days, or of such extended Time, as the Case may be, upon the Petition of any other Creditor to the Amount required to constitute a Petitioning Creditor, proceed to adjudicate on such last-mentioned Petition. If a Debtor petitioning against himself does not obtain Adjudication within Twenty-four Hours after filing such Petition, the Court may proceed to adjudge the Debtor a Bankrupt on the Petition of any competent Creditor.

What shall be reckoned as Debts, for the Purposes of a Petition under this Act.

97. In the Computation of Debts for the Purposes of any Petition under this Act there shall be reckoned as Debts,—

1. Sums due to Creditors holding Mortgages or other available Securities or Liens; after deducting the Value of the Property comprised in such Mortgages, Securities, or Liens:
2. Such Interest and Costs as shall be due in respect of any of the Debts:

But there shall not be reckoned,—

1. The Amount of the Debts in respect of which the Petitioner has already taken the Benefit of Insolvency, Protection, or Bankruptcy:
2. Debts barred by any Statute of Limitations.

As to Adjudication of Bankruptcy against Pauper and other Prisoners for Debt:

Power for Prisoners for Debt to petition in formâ pauperis.

98. If any Debtor, whether a Trader or not, now being or who shall be imprisoned for any Debt or Demand, shall through Poverty be unable to petition the proper Court for an Adjudication of Bankruptcy against himself, he shall be at liberty to petition *in formâ pauperis*, upon making an Affidavit that he has not the Means of paying the Fees and Expenses usually payable in respect of a Petition by a Debtor for an Adjudication of Bankruptcy. Such Affidavit may be sworn before the Gaoler of the Prison where such Debtor is confined, and such Gaoler is hereby empowered and required to take such Affidavit, and swear the Deponent thereto, without Fee or Reward.

Proceedings upon such Petition.

99. Every Person so petitioning *in formâ pauperis* as aforesaid shall, if not previously discharged by a Registrar, be brought up to the County Court of the District at its next Sitting after the

the Presentation of such Petition, and shall be examined by the Court touching his Estate and Effects, Debts, Dealings, and Transactions; and if the Court shall be satisfied with such Examination it shall make an Order of Adjudication of Bankruptcy against the Petitioner, and, if it think fit, grant an Order of Protection to the Petitioner.

Gaoler to make monthly Return of all Prisoners for Debt.

100. The Gaoler of every Prison in *England* or *Wales* within the Walls, Rules, or Liberties whereof any Person shall be in Custody upon any Process whatsoever, for or by reason of any Debt, Claim, or Demand whatsoever, shall on the First Day of every Month, or if such Day shall happen to be *Sunday*, then on the Day next following, make a Return under his Hand of the Name of every such Person, and the Date of his or her Imprisonment, and the Nature and Amount of the Debt or Demand, Debts or Demands, for which he or she is imprisoned or in Custody, and whether he or she is willing or refuses to petition the Court of Bankruptcy, or is unable to do so by reason of Poverty, or in such other Form and Manner and with such Particulars as any General Orders shall direct. Such Return shall also include the Names and Addresses of every Creditor at whose Suit each such Prisoner is imprisoned or detained, and shall be made by Gaolers of Prisons situate within the *London* District to the *London* Court, and by the Gaolers of Prisons within the Country Districts to the District Court of Bankruptcy, or the County Court having Jurisdiction in Bankruptcy, within the Jurisdiction of which the Gaol is situate, as the Case may be.

Registrar to attend at the Gaol, and examine every Prisoner in such Return.

101. The Commissioner or County Court Judge, as the Case may be, shall in every Case, on receiving such Return, make an Order that a Registrar of the Court of Bankruptcy or of the County Court of the District in which the Gaol is situate shall attend at the Gaol on a Day to be named, being at least Seven and not more than Twenty-one Days from the Date of such Return. Notice of such Order shall be forthwith given to the Gaoler and also to the Execution and detaining Creditors of every Prisoner included in such Return. On the Day named in the Order the Registrar shall attend at the Prison, and examine every Prisoner included in such Return who shall have been in Prison, being a Trader, for Fourteen Days, or, not being a Trader, for Two Calendar Months, touching his Estate and Effects, Debts, Dealings, and Transactions: The Registrar shall also ascertain the last Place of Abode and Business of each such Prisoner within the Six Months next prior to his Imprisonment. The Registrar shall have Power to make an Order of Adjudication in Bankruptcy against every such Prisoner, and to grant him Protection, and to make an Order for his Release from Prison, and shall also direct in what Court such Adjudication shall be prosecuted, having regard to the Amount of Debts and the Place of Trade or Residence of the Prisoner within the Six Months next preceding his Imprisonment. The Registrar shall certify the Particulars of each Case to the Court of which he is Registrar.

Power for Registrar to make Order of Adjudication.

Where such Prisoner refuses to

102. If the Prisoner shall refuse to appear or to be sworn, or to answer all lawful Questions of such Registrar or of the Execution

conform, the Court may commit him.

tion or detaining Creditor, or of any other Creditor who shall be present, respecting his Debts, Liabilities, Dealings, and Transactions, or to make a full Discovery of his Estate and Effects, and of all his Books of Account, or to produce the same, or to sign his Examination when taken, the Registrar shall report the same to the Court, and the Court may, by Warrant under the Hand and Seal of the Judge or Commissioner, commit him to the Common Gaol of the County, there to be kept, with or without Hard Labour, for any Time not exceeding One Month, and the Court may at the same Time adjudge such Prisoner bankrupt; provided that if after such Adjudication the Bankrupt shall, before the Period of such Commitment has expired, submit to be examined, and in all things conform to the Jurisdiction of the Court, he shall have in all respects the same Benefit as if he had submitted to the Court in the first instance.

Effect of Adjudication against Prisoner for Debt.

103. Every Adjudication against any Prisoner for Debt so brought up as aforesaid shall, unless the Court shall otherwise direct, have relation back to the Date of his Commitment or Detention, as the Case may be, and shall be as valid and effectual for all Purposes as if it had been made under any other of the Provisions of this Act.

Prisoners under 8 & 9 Vict. c. 127. and 9 & 10 Vict. c. 95., &c., not to be included in Return.

104. No Person who is in Custody solely under or by reason of any Warrant or Order made or issued by or by the Authority of a Judge, under the Provisions of the Act of the Eighth and Ninth Years of Her present Majesty, Chapter One hundred and twenty-seven, or of the Act of the Ninth and Tenth Years of Her present Majesty, Chapter Ninety-five, or by the Authority of any Court having the Power to commit any Person to Prison upon or by reason of any Order or Judgment wherever there shall have been recovered a Sum for Debt not exceeding Twenty Pounds exclusive of Costs, shall be included in the Return so directed to be made by Gaolers as aforesaid, or released from such Imprisonment by virtue of any Order to be made by the Registrar as aforesaid, or be entitled to petition *in formâ pauperis* under this Act.

Discretion of County Court Judge under above Acts.

105. Every Judge in acting under the last-mentioned Statutes, and in deciding whether the Party summoned before him has then or has had since the Judgment obtained against him sufficient Means and Ability to pay the Debt or Damages, or Costs, so recovered against him, either altogether or by any Instalment or Instalments as ordered, shall take into consideration all the Debts and Liabilities of the Party so summoned, and his Conduct in disposing of his Money or Property since the Judgment was given.

As to Lunatic Prisoners for Debt:

Adjudication in case of Lunatic Prisoners for Debt.

106. If any Person being or alleged to be of unsound Mind shall be in Prison for Debt, the Gaoler shall forthwith require a Justice of the Peace for the County or Place wherein such Prison shall be to visit such Debtor, and to inquire into his State of Mind; and such Justice shall call to his Assistance Two duly qualified Medical Practitioners, each of whom shall be a Physician, Surgeon, or Apothecary, and each of whom shall separately examine such Debtor; and if such Two Medical Practitioners shall

shall each sign a Certificate with respect to such Debtor, according to the Form in Schedule H. to this Act annexed, and such Justice shall be satisfied from his own View that such Debtor is of unsound Mind, he shall certify the same to the proper Court, and thereupon the Court may appoint some Person to represent such Debtor, and direct such Proceedings to be taken for Adjudication in Bankruptcy against him as the Court shall think fit; and all Proceedings under such Adjudication shall be had and carried on in the same Manner and with the like Effect as if such Prisoner had been of sound Mind, and had presented a Petition to the Court for Adjudication of Bankruptcy, or as near thereto as the Difference of Circumstances will permit.

Power thereupon for Justice of the Peace to remove such Prisoners to County Asylum.

107. Any Justice of the Peace of the County or Place aforesaid may thereupon remove such Prisoner from such Gaol, and may cause him to be sent to the Asylum of the County in which such Gaol shall be situate, in order that he may be placed under Care and Treatment as a Lunatic; and such Removal shall not be considered as an Escape or final Discharge from such Gaol, and such Prisoner shall thereafter be dealt with in all respects as a Pauper Lunatic, and shall be subject to the Acts of Parliament for the Time being in force respecting Pauper Lunatics, or as near thereto as Circumstances will permit: Provided nevertheless, that in the event of his Recovery from his Lunacy, he shall, if still liable to be detained in Custody as a Debtor, be remitted to the Gaol from whence he was received.

As to Procedure after Adjudication:

Official Assignee to take possession.

108. Immediately on Adjudication it shall be the Duty of the Official Assignee to take possession of the Bankrupt's Estate, and to retain Possession thereof until the Appointment of a Creditors Assignee; but if such Official Assignee, or if the Court, upon the Representation of any Creditor, shall be of opinion that the keeping Possession of the Bankrupt's Property is not requisite for the due Protection of the Creditors, such Possession shall not be continued.

Meeting of Creditors.

109. As soon as conveniently may be after Adjudication shall have become absolute, the Court shall appoint a Meeting of the Creditors, of which Ten Days Notice shall be given in the *London Gazette*, and which Meeting shall be held at such Time and Place as the Court shall appoint; and at such Meeting a Registrar, or such other Person as the Court shall appoint for that Purpose, shall preside, and receive the Proofs of the Debts of the Creditors. The Official Assignee shall attend and give to the Meeting the fullest Information in his Power of the Estate and Effects of the Bankrupt, and of the Debts due from his Estate; and it shall be lawful for the Majority in Number and Value of the Creditors present at such Meeting or at any Adjournment thereof to resolve and determine that the Proceedings in the Bankruptcy shall be transferred to and thenceforth prosecuted in the County Court of any District, other than the Metropolitan District, and the Court shall order the same accordingly, upon being satisfied that such Resolution was duly made. At this Meeting a Majority in Value of the Creditors present

Proof of Debts.

Transfer to County Court.

shall determine whether any or what Allowance for Support shall be made to the Bankrupt up to the Time of passing his last Examination.

Option to Creditors.

110. In case at such Meeting or at any other Meeting of Creditors any Proposal shall be made by or on behalf of the Bankrupt which it shall appear to the major Part in Value of the Creditors then present ought to be accepted, or if it shall appear to the Majority in Value of the Creditors present at any Meeting to be desirable on any Ground to resolve, and such Majority shall resolve, that no further Proceedings be taken in Bankruptcy, the Meeting shall be adjourned for Fourteen Days, in order that Notice of such Resolution may be given to every Creditor by the Official or Creditors Assignee, which shall be done accordingly; and if at such adjourned Meeting a Majority in Number representing Three Fourths in Value of the Creditors present shall so resolve, the Proceedings in Bankruptcy shall be suspended, and the Estate and Effects of the Bankrupt shall be wound up and administered in such Manner as such Majority shall direct, and the Bankrupt having made a full Discovery of his Estate shall be entitled to apply for an Order of Discharge.

Amendment of 12 & 13 Vict. c. 106. s. 123.

111. From and after the passing of this Act no Attestation shall be required to give effect to the Admission referred to in the One hundred and twenty-third Section of "The Bankrupt Law Consolidation Act, 1849;" but such Admission shall be signed in the Presence of some Officer of such Court, who shall attest such Signature thereto.

Form of Warrant for Commitment of Bankrupt.

112. In any Warrant of Commitment issued by any Court under this Act it shall not be necessary to set forth or specify any Question or any Part of the Examination of the Person so committed, but it shall be sufficient to refer in the Warrant to the Examination or Deposition of the Person as remaining on the File of Proceedings, and to specify in the said Warrant the precise Date of the Examination or Deposition so referred to; and such Warrant shall be in the Form contained in Schedule (C.) to this Act; provided, however, that in every Case in which any Person shall be so committed for refusing to answer or for not fully answering any Question put to him, every such Question shall be specified in the Examination or Deposition of the Person committed remaining on the File of Proceedings, and so referred to as aforesaid; and provided also, that a Copy of the said Examination or Deposition so referred to shall be delivered personally to the Person committed within Twenty-four Hours next after his actual Committal to Prison; and in default of the said Copy being delivered the Person committed shall be discharged from Custody, either by the Court or by the Judge before whom such Person may be brought by Habeas corpus, with such Costs, if any, as the said Court or Judge may deem just.

Copy of his Examination to be delivered to Person committed.

Discharge of Person committed.

113. If any Person so committed shall sue forth any Writ of Habeas corpus in order to be discharged from such Commitment, he shall not be discharged by reason of any mere Matter of Form, but if the Court or Judge before whom he shall be brought, upon Inspection and Consideration of the whole of the Examination

Examination or Deposition of such Person, shall be of opinion, that the Answer or Answers of such Person is or are satisfactory, the Court or Judge may order the Person so committed to be discharged.

As to Copyholds and Customary Lands of Bankrupt.

114. The Court shall have Power to dispose, for the Benefit of the Creditors, of any Estate or Interest at Law or in Equity which at Adjudication or afterwards, before Order of Discharge, a Bankrupt has in any Copyhold or Customary Land, and to make an Order vesting the Land or such Estate or Interest as the Bankrupt has therein in such Person and in such Manner as the Court shall think fit.

Life Estate in Remainder, &c.

115. Where, under any Settlement or Will, a Bankrupt Non-trader shall be entitled to a Life Estate, in Remainder expectant upon the Death or Deaths of any previous Tenant or Tenants for Life, with any Remainder over to the Bankrupt's Issue, or the Heirs of his Body or any of them as Purchasers, the Life Estate of such Bankrupt Non-trader shall not be sold before it falls into possession without an express Direction of the Court.

As to the Choice of a Creditors Assignee:

Creditors Assignee when and how to be chosen.

116. At the First Meeting of Creditors, or any Adjournment thereof, it shall be competent to the Majority in Value of the Creditors who have proved Debts to choose an Assignee or Assignees of the Bankrupt's Estate and Effects, and to be called the Creditors Assignee; provided that the Court shall have Power to reject any Person so chosen who shall appear to such Court unfit to be such Assignee, and upon such Rejection a new Choice of Creditors Assignee shall be made.

Bankrupt's Estate in whom vested.

117. Upon the Appointment of the Creditors Assignee, all the Estate, both Real and Personal, of the Bankrupt, shall be devested out of the Official Assignee, and vested in the Creditors Assignee.

Official Assignee to render Account.

118. The Official Assignee shall forthwith render to the Creditors Assignee a full and particular Account or Balance Sheet of the Bankrupt's Estate, and of all Receipts, Payments, and other Transactions of such Official Assignee, and also a List of all the Creditors of the Bankrupt who have proved their Debts against the Estate.

Creditors Assignee shall audit Accounts of Official Assignee.

119. The Creditors Assignee shall, in the Presence of a Registrar, audit such Account, and may call for such Information from the Official Assignee as he possesses concerning the Estate. The Account shall be audited in the Presence of the Judge of the Court, in Cases where the Registrar of such Court is also the Official Assignee. A printed Copy of such Account of the Official Assignee, when audited, shall, unless the Registrar or the Judge, as the Case may be, shall otherwise direct, be sent by Post by the Creditors Assignee to every Creditor who has proved.

Custody of Bankrupt's Books.

120. The Court shall give such Directions as it may deem expedient with respect to the Custody and Inspection of the Books, Papers, Writings, and Documents relating to the Estate, and may authorize the Official Assignee to have the Custody thereof or of any Part thereof.

 121. No

Books not subject to Lien.

121. No Person shall be entitled, as against the Official or Creditors Assignee, to withhold Possession of the Books of Account of the Bankrupt, or to claim any Lien thereon.

Security by Creditors Assignee.

122. The Majority in Value of the Creditors present at the Meeting for Choice of a Creditors Assignee shall determine whether any Security shall be given by such Assignee, and if so, the Amount and Nature thereof, and such Security may, if the Creditors so determine, be by way of Bond given to any Registrar of the Court or his Successors, who are hereby authorized to sue thereon. At the same Meeting, or at any other Meeting called for the Purpose, the Majority in Value of the Creditors present may also determine whether a Manager shall be appointed to collect and wind up the Estate, under the Inspection of the Creditors Assignee, or of a Committee of Creditors, and may appoint such Person, with such Remuneration out of the Estate, and generally upon such Terms, for such Period, and with such Directions as the Majority shall think fit.

Certificate of Appointment of Assignee.

123. When the Election of an Assignee shall have been accepted by the Person elected and confirmed by the Court, the Court shall, by Certificate under the Hand of the Commissioner and the Seal of the Court (to be called the Certificate of Appointment), declare such Creditors Assignee to have been duly elected, and appoint him to the said Office accordingly. Such Appointment shall be final, and shall not be subject to Review or Appeal, except as herein-after provided.

Removal of Creditors Assignee or Manager.

124. A Majority in Number and Value of the Creditors may, at any Meeting duly called for the Purpose, remove the Creditors Assignee or Manager or accept of his Resignation; and One Fourth in Value of the Creditors who have proved may at any Time apply to the Court, by Petition, for the Removal of the Creditors Assignee or Manager, and if on the Hearing of such Petition the Court shall be of opinion that sufficient Reason has been shown, it may remove such Creditors Assignee or Manager, and appoint a Meeting of the Creditors to be held for electing a new Creditors Assignee; and if the Assignee shall die, resign, or be removed, or remain abroad for Three Months at any One Time, any Creditor may apply to the Court to appoint a Meeting for electing a new Creditors Assignee, and the Court may accordingly appoint a Meeting, whereof at least Seven Days previous Notice shall be given in the *London Gazette*, and such Meeting may elect a new Creditors Assignee accordingly.

Mode of electing new Creditors Assignee; his Powers and Duties.

125. In all Cases of the Election of a new Creditors Assignee the Proceedings shall take place in the like Manner as is hereinbefore provided in the Case of the First Election, and the new Creditors Assignee shall have the same Powers and perform the same Duties as the Creditors Assignee first chosen, and shall call to account such Creditors Assignee, his Heirs, Executors, Administrators, or Assigns, as the Case may require.

As to Valuation of Bankrupt's Property.

126. No Valuation of a Bankrupt's Property shall be made, unless the Court shall so direct; and any Valuation required by the Creditors shall be made in such Manner and upon such Terms as General Orders shall from Time to Time direct.

As to the Rights and Duties of the Creditors Assignee:

Duties of Creditors Assignee.

127. The Creditors Assignee shall manage, and, except as herein provided, realize and recover the Estate belonging to the Bankrupt, wherever situated, and convert the same into Money, and he shall pay all Monies not necessarily retained for current Expenses, all Exchequer Bills, *India* Bonds, and all other Public Securities, and all Bills, Notes, and negotiable Instruments belonging to the Estate, forthwith upon Receipt thereof, into the Bank of *England*, to the Account of the Accountant in Bankruptcy, unless in the Case of any Adjudication in a Country District there shall be no Branch of the Bank of *England* in the Locality, and then into such Bank as the Court shall direct, to the Credit of an Account to be opened in such Bank by such Assignee in his official Character.

The Official Assignee to collect Debts under 10*l.*

128. The Official Assignee shall collect, realize, and recover every Debt due to the Estate the Amount of which shall not exceed the Sum of Ten Pounds, and shall pay all Sums so collected, realized, and recovered forthwith into the Bank of *England*, or otherwise in manner in the next preceding Clause provided; and as to all such Sums of Money he shall be and shall be deemed sole Assignee of the Estate, notwithstanding the Appointment of a Creditors Assignee.

Creditors Assignee to render Accounts to Official Assignee every Three Months.

129. The Creditors Assignee shall, at the End of Three Months from and after his Appointment, and thenceforth at the Expiration of every succeeding Three Months, render to the Official Assignee, in the Presence of the Registrar, a Debtor and Creditor Account of all Sums received and paid on account of the Bankrupt or his Estate, verified on Oath as a full, true, and faithful Account of his Receipts and Payments as such Creditors Assignee; and the Vouchers for such Account, and all Books of Account in his Possession or Power, together with his Banker's Pass Book, shall be produced by him to the Official Assignee, who shall examine the same, and if he shall be dissatisfied with such Account, the same, or any Part thereof, or any Matter arising thereon, shall be inquired into and considered by the Registrar, in the Presence of the Official and Creditors Assignee; and if no Creditors Assignee be appointed, the Official Assignee shall in like Manner render the Account herein required to the Registrar, who shall examine the same: Provided, that in the Case of County Court Registrars their Accounts, as Official Assignees, shall be in like Manner rendered to and examined and passed by the Judges of their respective Courts.

If no Creditors Assignee, Official Assignee to render Accounts.

Accounts to be printed and circulated.

130. Forthwith after the passing of each such Account of the Creditors Assignee, a Copy thereof, or a Statement showing the Nature and Result of the Transactions and Accounts of the Assignee, shall be made out by the Official Assignee, and sent by him in a printed Form through the General Post to every Creditor who has proved under the Bankruptcy.

Assignees may elect to take Lease for limited Period.

131. In every Case of a Lease or an Agreement for a Lease it shall be lawful for the Assignees to elect to take the same and the Benefit thereof, and to keep possession of the Premises up to some Quarter or Half-yearly Day on which Rent is made

payable by the same Lease or Agreement, such Day not being more than Six Months from the Adjudication of Bankruptcy, and upon such Day to decline such Lease or Agreement for a Lease.

Mortgagee may bid at Sale.

132. Any Mortgagee, with the Leave of the Court first obtained, may bid at any Sale of the mortgaged Property.

Power to mortgage or pledge Bankrupt's Property.

133. If it shall appear to any Meeting of the Creditors summoned by the Assignees, by Notice stating the Object of the Meeting, and at which Three Fourths in Value of the Creditors shall be present or represented, that the Debts of any Bankrupt can be discharged by means of Money raised by way of Mortgage or Pledge of any of his Property, and such Meeting shall pass a Resolution accordingly, it shall be lawful for the Assignees, when thereunto authorized by Order of the Court, to execute such Mortgage or Pledge, with or without Powers of Sale and other Powers, and in such Manner in all respects as shall be specified in such Order; and the Court may order the Execution of such Mortgage or Pledge by any other necessary Parties, and give all necessary Directions for the Purpose of carrying into effect the Resolution of the Creditors.

Portion of Pay, Half Pay, Salary, or Pension of Bankrupt to be applicable for Creditors.

134. The Court may order such Portion of the Pay, Half Pay, Salary, Emolument, or Pension of any Bankrupt as, on Communication from the Court, the Secretary of State for War, or the Secretary of State for *India*, or the Lords Commissioners of the Admiralty, or the Commissioners of the Customs or Excise, or the Chief Officer of the Department to which such Bankrupt may belong or may have belonged, or under which such Pay, Half Pay, Salary, Emolument, or Pension may be enjoyed by such Bankrupt, may officially sanction to be paid to the Assignees, to be applied in Payment of the Debts of such Bankrupt; and such Order and Sanction being lodged in the Office of Her Majesty's Paymaster General, or of the Secretary of State for *India*, or of any other Officer or Person appointed to pay or paying any such Pay, Half Pay, Salary, Emolument, or Pension, such Portion of the said Pay, Half Pay, Salary, Emolument, or Pension as shall be specified in such Order and Sanction shall be paid to such Assignees until the Court shall make Order to the contrary.

Sequestration of Profits of Benefice of Bankrupt Clergyman may be obtained.

135. If any Bankrupt be a beneficed Clergyman the Assignees may apply for and obtain a Sequestration of the Profits of the Benefice of such Bankrupt, which Profits shall form Part of the Bankrupt's Estate, and be applied accordingly; and the Certificate of Appointment of such Assignees shall be a sufficient Authority for the granting of such Sequestration, without any Writ or other Proceeding to authorize the same, and such Sequestration shall accordingly be issued as the same might have been issued upon any Writ of Levari facias founded upon any Judgment against such Bankrupt: Provided always, that the Sequestrator shall allow out of the Benefice to the Bankrupt whilst he performs the Duties of the Parish or Place such an annual Sum, payable quarterly, as the Bishop of the Diocese in which the Benefice is situated shall direct; and it shall be lawful for the Bishop to appoint

appoint to such Bankrupt such or the like Stipend as by Law he might have appointed to a Curate duly licensed to serve such Benefice in case the Bankrupt had been non-resident.

Court may determine on all Differences between Assignees and Creditors, or between Parties claiming under Trust Deeds.

136. In case of any Claim, Dispute, or Difference between the Official Assignee, the Creditors Assignee, and the Creditors, or any of such Persons, or between any Persons claiming under a Trust Deed, Deed of Composition or Arrangement, relating to any Bankrupt's or Debtor's Estate, or to any Money or Property claimed as Part of the Estate of any Bankrupt or Debtor, either Party may apply to the Court having Jurisdiction in the Bankruptcy, and in other Cases to the Court in *London*; and it shall be lawful for the Court to determine the same, and to summon and examine upon Oath the Official or Creditors Assignee, Trustee, or any other Person whomsoever, as to any Matters and Things concerning the Bankruptcy or Trust Estate, and to direct such Inquiries, and to give such Directions, and make such Orders relative thereto, as shall to the Court seem just and expedient, and to award Costs, personally or in any other Manner, against the Official or Creditors Assignee, Trustee, or any other Person; provided that in all Cases in which a Resolution has been come to by a Majority in Number and Value of the Creditors assembled in a Meeting, regard shall be had by the Court to such Resolution, and the same shall not be varied or set aside by the Court, unless such Resolution shall, in the Opinion of the Court, be unjust or inequitable, and not fit to be binding and conclusive under this Act.

Power for Assignees to sell Bankrupt's Book Debts, Goodwill, &c.

137. At any Time after the Expiration of Twelve Months from Adjudication, or at any earlier Period with the Approbation of the Court, the Assignees may sell by Auction or Tender, or, with the Sanction of the Court, by private Contract, all or any of the Book Debts due or growing due to the Bankrupt, and the Books relating thereto, and the Goodwill of his Trade or Business, and assign the same to the Purchaser; and such Purchaser shall, by virtue of the Assignment, have Power to sue in his own Name for the Debts assigned to him, as effectually, and with the same Privileges concerning Proof of the Requisites of Bankruptcy and other Matters, as the Assignee himself.

Disposal, &c. of Bankrupt's Books, &c. after Affairs wound up.

138. When the Affairs of the Bankrupt are fully wound up, the Court may, subject to the Directions of any General Order, make from Time to Time such Orders as in each Case seem fit respecting the Disposal or Custody of any Books, Papers, or Documents relating to Property or Affairs in the Possession or under the Control of the Official Assignee, the Creditors Assignee, or any other Person.

Removal of Creditors Assignee.

139. If the Creditors Assignee shall wilfully fail to observe any of the Directions herein contained, or shall be guilty of any Neglect in the Performance of his Duty, or it shall be made to appear to the Court, on the Application of any Two or more Creditors, that it would be for the Benefit of the Estate that such Creditors Assignee should not continue to have the Management and Administration of the Bankrupt's Estate, it shall be lawful for the Court either to appoint an Official Assignee to act

jointly with such Creditors Assignee, or to remove such Creditors Assignee, and direct a Choice of another Creditors Assignee, or to appoint an Official Assignee alone to wind up and administer the Estate under the Bankruptcy.

As to the last Examination:

Court to appoint Sitting for last Examination and Application for Discharge.

140. The Court shall, forthwith after the Meeting for the Choice of an Assignee by the Creditors, appoint a public Sitting on a Day not later than Sixty Days from the Date of such Meeting, and shall give Notice of such Sitting in the *London Gazette*, and in such Newspapers as the Court shall direct, for the Bankrupt to pass his last Examination, and also, unless the Court shall in any Case otherwise direct, to make Application for his Discharge; but the Court shall have Power to enlarge the Time appointed for such Sitting, or to adjourn the same.

The Bankrupt to prepare and file a Statement of Accounts.

141. The Bankrupt shall prepare such Statement of his Accounts and in such Form as General Orders or as the Court in any Case shall direct, and shall subscribe such Statement, and file the same in Court Ten Days at least before the Day appointed for the last Examination, or Adjournment thereof; and such Statement may before such last Examination be amended from Time to Time as Occasion shall require and the Court shall direct; and the Bankrupt shall make Oath of the Truth of such Statement, whenever he shall be duly required by the Court so to do; and the last Examination of the Bankrupt shall in no Case be passed unless his Statement shall have been duly filed as aforesaid.

Statement of Accounts to be open to Creditors.

142. The Statement of Accounts, when filed in Court, shall be open to the Inspection of all Creditors, who may take Copies of and Extracts from the same, subject to such Regulations as General Orders shall direct; and an Abstract thereof shall be printed, and a printed Copy of such Abstract shall be sent by Post within a Week from the filing thereof, by the Official Assignee, to each Creditor who has proved.

Official Assignee to assist in preparing Statement; and to file therewith a Report.

Power to grant Assistance to Bankrupt to make out Statement under special Circumstances.

143. In the Preparation of such Statement of his Accounts the Bankrupt shall be assisted by the Official Assignee, who shall prepare and file in Court, together with such Statement, a Report upon the State of the Affairs of the Bankrupt, setting forth such Facts and Particulars as may be required by the Court, or as it shall in the Opinion of such Assignee be important for the Court to be informed of: Provided that if it shall in any Case appear to the Court that there are special Circumstances rendering it necessary that the Bankrupt should be assisted in the Preparation of such Statement of Accounts by some Person other than such Official Assignee, the Court may nominate some such Person to assist the Bankrupt in that Behalf, and may allow to such Person, out of the Bankrupt's Estate, such Remuneration as to the Court, upon the Taxation of such Person's Bill of Costs, shall seem just; and in such Case the Statement so prepared shall have appended thereto a Certificate signed by the Person appointed to assist the Bankrupt in the Preparation thereof, expressing his Approval or Disapproval thereof, and the Particulars and Reasons of such Disapproval.

As

As to Proof of Debts:

When and how Debts may be proved.

144. Every Creditor of the Bankrupt may, after Adjudication, prove his Debt, by delivering or sending through the General Post, before the Appointment of the Creditors Assignee, to the Official Assignee, and after such Appointment to the Creditors Assignee, a Statement of such Debt, and of the Account, if any, between the Creditor and the Bankrupt, together with a Declaration, signed by the Creditor, appended thereto, that such Statement is a full, true, and complete Statement of Account between the Creditor and the Bankrupt, and that the Debt thereby appearing to be due from the Estate of the Bankrupt to the Creditor is justly due; and all Bodies Politic and Public Companies incorporated, or authorized to sue or bring Actions, may prove by an Agent, provided such Agent shall in his Declaration declare that he is such Agent, and that he is authorized to make such Proof; and such Declaration, signed by such Creditor and Agent respectively as aforesaid, shall be in such Form as General Orders shall direct.

Declaration for Proof of Debt.

False Declaration a Misdemeanor.

145. Any Person who shall wilfully and corruptly make any Declaration for Proof of Debt as aforesaid, knowing the same, or the Statement of Account to which the same shall be appended, to be untrue in any material Particular, shall be deemed guilty of a Misdemeanor, and shall be liable to undergo the Pains and Penalties imposed upon Persons guilty of wilful and corrupt Perjury.

Proof in Court or in Chambers, or before a Registrar, or by Affidavit.

146. Every Creditor of the Bankrupt may also after Adjudication prove his Debt, by Deposition in Court or in Chambers, or before a Registrar at any Meeting of Creditors elsewhere than in Court, or by Affidavit, upon his own Oath, or upon that of any Clerk or other Person in his Employment; provided that where such Deposition or Affidavit shall be made by any other Person than the Creditor, the Deponent shall, in his Deposition or Affidavit, set forth that he is duly authorized by his Principal to make the Deposition or Affidavit, and that it is within his own Knowledge that the Debt was incurred, and for the Consideration stated, and that to the best of his Knowledge and Belief the Debt still remains unpaid and unsatisfied.

Official Assignee to examine all Statements of Account, &c.

147. The Official or Creditors Assignee, as the Case may be, shall examine all the Statements of Account aforesaid, and compare the same with the Books, Accounts, and other Documents of the Bankrupt, and shall from Time to Time make out a List of the Creditors who have proved their Debts, stating the Amount and Nature of such Debts, which List shall be open to the Inspection of any Creditor who has proved under the Estate.

Power to examine upon Oath alleged Creditors, &c.

148. The Court may, on the Application of the Assignee, or of any Creditor, or of the Bankrupt, or without any Application, examine upon Oath or otherwise any Person tendering or who has made a Proof, and may summon any Person capable of giving Evidence concerning such Proof; and, in like Manner, where the Debt is tendered on Affidavit or Statement, as herein-before provided, may summon and examine on Oath or otherwise the Person

Person who has made the Affidavit or Statement, and any other Person capable of giving Evidence concerning the Debt sought to be proved.

Proof for Money, &c. where Payment enforceable by Process of Contempt.

149. A Person entitled to enforce against the Bankrupt Payment of any Money, Costs, or Expenses by Process of Contempt issuing out of any Court, shall be entitled to come in as a Creditor under the Bankruptcy, and prove for the Amount payable under the Process, subject to such ascertaining of the Amount as may be properly had by Taxation or otherwise.

Proof for proportionate Part of Rent, &c. falling due at fixed Periods.

150. In all Cases in which the Bankrupt is liable to pay any Rent or other Payment falling due at fixed or stated Periods, and the Adjudication of Bankruptcy shall happen at any Time other than One of such fixed or stated Periods, it shall be lawful for the Person entitled to such Rent or other Payment to prove for a proportionate Part thereof up to the Day of the Adjudication of Bankruptcy, in such Manner as if the said Rent or Payment grew due from Day to Day, and not at such fixed or stated Periods as aforesaid.

Proof where Debt payable by Instalments.

151. If any Bankrupt shall have contracted, before the filing of a Petition for Adjudication, any Debt payable by way of Instalments, the Creditor may prove for the Amount of such Instalments remaining unpaid at the Time of such Petition.

Proof in respect of distinct Contracts.

152. If any Debtor shall, at the Time of Adjudication, be liable upon any Bill of Exchange or Promissory Note in respect of distinct Contracts as Member of Two or more Firms carrying on separate and distinct Trades, and having distinct Estates to be wound-up in Bankruptcy, or as a sole Trader and also as the Member of a Firm, the Circumstance that such Firms are in whole or in part composed of the same Individuals, or that the sole Contractor is also One of the joint Contractors, shall not prevent Proof and Receipt of Dividend in respect of such distinct Contracts against the Estates respectively liable upon such Contracts.

Proof in respect of unliquidated Damages.

153. If any Bankrupt shall at the Time of Adjudication be liable, by reason of any Contract or Promise, to a Demand in the Nature of Damages which have not been and cannot be otherwise liquidated or ascertained, it shall be lawful for the Court acting in prosecution of such Bankruptcy to direct such Damages to be assessed by a Jury, either before itself or in a Court of Law, and to give all necessary Directions for such Purpose; and the Amount of Damage, when assessed, shall be proveable as if a Debt due at the Time of the Bankruptcy: Provided that in case all necessary Parties agree, the Court shall have Power to assess such Damages without the Intervention of a Jury or a Reference to a Court of Law.

Proof for Premiums upon Policies of Insurance.

154. If any Bankrupt shall at the Time of Adjudication be liable by reason of any Contract or Promise to pay Premiums upon any Policy of Insurance, or any other Sums of Money, whether yearly or otherwise, or to repay to or indemnify any Person against any such Payments, the Person entitled to the Benefit of such Contract or Promise may, if he think fit, apply to the Court to set a Value upon his Interest under such Contract or

or Promise, and the Court is hereby required to ascertain the Value thereof, and to admit such Person to prove the Amount so ascertained, and to receive Dividends thereon.

How Proof may be expunged or reduced.

155. The Court may at any Time expunge or reduce a Proof of Debt, on such Application and such Evidence as it shall think sufficient, and for that Purpose may summon and examine upon Oath or otherwise the Person who has proved, and every Person capable of giving Evidence concerning the alleged Debt, and may make such Order as to the Costs of any Application as shall seem just.

One Year's Rates may be paid in full.

156. The Court, out of the Estate and Effects of the Bankrupt, shall order Payment of all such Parochial Rates as may be due from him at the Time of his being adjudicated a Bankrupt; provided such Rates have become due during the Twelve Months immediately preceding the Bankruptcy.

As to the Discharge of the Bankrupt:

Classification of Certificates abolished.

Form of Discharge where suspended, &c.

157. From and after the Commencement of this Act all Classification of Certificates shall be abolished; and in every Case where the Discharge of a Bankrupt shall be suspended, such Discharge, when allowed, shall simply state the Period for which it was suspended and the Reasons for such Suspension; and if the Bankrupt shall have been sentenced to Imprisonment by any Court under the Provisions of this Act the Discharge shall also set forth the Fact of such Sentence and the Period of such Imprisonment.

Appointment of Sitting for granting Order of Discharge.

158. After the Bankrupt has passed his last Examination, unless an Order of Discharge shall have been previously made as herein-before provided, the Court shall appoint a Sitting for the Purpose of considering the Question of granting to the Bankrupt such Order. Fourteen Days Notice of such Sitting shall be given in the *London Gazette* and such Newspapers as the Court shall direct. The Assignees or any Creditor who has proved may be heard against such Discharge.

Rules as to granting Orders of Discharge.

159. In granting Orders of Discharge the following Rules shall be observed:

1. If on the Hearing of any Application for an Order of Discharge the Assignees or any Creditor shall allege, and if with or without such Allegation the Court shall be of opinion, that there is Ground for charging the Bankrupt with Acts or Conduct amounting to a Misdemeanor under this Act, the Court shall, if the Bankrupt consent thereto, direct a clear Statement in Writing of the Charge to be delivered to the Bankrupt, and shall appoint a Day for trying the Bankrupt on such Charge, and, if the Bankrupt require it, shall summon a Jury for such Purpose, and may direct the Creditors Assignee or the Official Assignee, or any of the Creditors of the Bankrupt, to act as Prosecutor on such Trial: Provided always, that in every Case of Accusation against a Bankrupt of Acts amounting to a Misdemeanor, it shall be competent to the Court to direct that the Bankrupt be indicted and prosecuted in One of the ordinary Courts of Criminal Justice; and in all other Cases the

the Order of Discharge shall take effect immediately from its Date, subject to the Appeal herein provided:

2. If on such Trial by a Jury or by the Commissioner alone the Bankrupt shall be convicted of any Offence by this Act made a Misdemeanor, the Commissioner shall, in addition to the Punishment awarded for the Offence, have Power to direct that the Order of Discharge be either wholly refused or suspended during such Time and upon such Conditions as he shall think fit:
3. If the Bankrupt shall not be accused of Acts amounting to Misdemeanor, or if he shall have been accused and acquitted, but in either Case there shall be made, or shall appear to the Court to exist, Objection to the granting of an immediate Discharge, the Court shall proceed to consider the Conduct of the Bankrupt before and after Adjudication, and the Manner and Circumstances in and under which his Debts have been contracted; and if the Court shall be of opinion that the Bankrupt has carried on Trade by means of fictitious Capital, or that he could not have had at the Time when any of his Debts were contracted any reasonable or probable Ground of Expectation of being able to pay the same, or that if a Trader, he has, with Intent to conceal the true State of his Affairs, wilfully omitted to keep proper Books of Account, or, whether Trader or not, that his Insolvency is attributable to rash and hazardous Speculation, or unjustifiable Extravagance in living, or that he has put any of his Creditors to unnecessary Expense by frivolous or vexatious Defence to any Action or Suit to recover any Debt or Money due from him, the Court may either refuse an Order of Discharge, or may suspend the same from taking effect for such Time as the Court may think fit, or may grant an Order of Discharge subject to any Condition or Conditions touching any Salary, Pay, Emoluments, Profits, Wages, Earnings, or Income which may afterwards become due to the Bankrupt, and touching after-acquired Property of the Bankrupt, or may sentence the Bankrupt to be imprisoned for any Period of Time not exceeding One Year from the Date of such Sentence:

Provided always, that no Person shall be liable by virtue of this Act to any Criminal Proceeding or Penalty in respect of any Matter which may have occurred before the passing of this Act to which he would not have been liable if this Act had not passed.

Application for Order of Discharge where Certificate of Conformity has been refused.

160. With respect to all Persons heretofore bankrupt, and whose Certificates of Conformity shall have been refused, it shall be lawful for the Court, at any Time after the Expiration of Three Years from the Time of and notwithstanding such Refusal, to hear and determine the Application of any such Bankrupt for an Order of Discharge, and thereupon, if the Court shall think fit, to grant an Order of Discharge, either absolute or subject to any Condition or Conditions, in the same Manner as if the Bankruptcy

Bankruptcy of such Applicant had taken place after the Commencement of this Act.

Effect of Order of Discharge.

161. The Order of Discharge shall, upon taking effect, discharge the Bankrupt from all Debts, Claims, or Demands proveable under his Bankruptcy, save as herein otherwise provided; and if thereafter he shall be arrested, or any Action shall be brought against him for any such Debt, Claim, or Demand, he shall be discharged upon entering an Appearance, and may plead in general that the Cause of Action accrued before he became bankrupt, and may give this Act and the special Matter in Evidence; and the Order of Discharge shall be sufficient Evidence of the Bankruptcy, and the Proceedings precedent to the Order of Discharge.

Release of Bankrupt when arrested after Discharge.

162. If a Bankrupt, after the Order of Discharge takes effect, be arrested or detained in Custody for a Debt, Claim, or Demand proveable under his Bankruptcy, where Judgment has been obtained before the Order of Discharge takes effect, the Court, or a Judge of a Superior Court of Law, shall, on Proof of the Order of Discharge, and unless there appear good Reason to the contrary, direct the Officer who has the Bankrupt in Custody to discharge him, which shall be done accordingly, without Fee.

Effect of Order as to Partners, &c.

163. The Order of Discharge shall not release or discharge any Person who was a Partner with the Bankrupt at the Time of the Bankruptcy, or was then jointly bound, or had made any joint Contract with him.

Contract, &c. pending Proceedings not binding.

164. After the Order of Discharge takes effect, the Bankrupt shall not be liable to pay or satisfy any Debt, Claim, or Demand proveable under the Bankruptcy, or any Part thereof, on any Contract, Promise, or Agreement, verbal or written, made after Adjudication; and if he be sued on any such Contract, Promise, or Agreement he may plead in general that the Cause of Action accrued pending Proceedings in Bankruptcy, and may give this Act and the special Matter in Evidence.

Order to operate as a Discharge from Process for Contempt.

165. The Order of Discharge shall discharge the Bankrupt from the Effects of any Process issuing out of any Court for Contempt of any Court for Nonpayment of Money or of Costs or Expenses in any Court, and from all Costs which he would be liable to pay in consequence of or on purging his Contempt; and a Bankrupt in Custody under any such Process as aforesaid shall, on obtaining an Order of Discharge, be entitled to be discharged from such Custody forthwith.

Contract or Security with Intent to induce Creditor to forbear Opposition, void.

166. Any Contract, Covenant, or Security made or given by a Bankrupt or other Person, with, to, or in trust for any Creditor, for securing the Payment of any Money as a Consideration or with Intent to persuade the Creditor to forbear opposing the Order for Discharge, or to forbear to petition for a Rehearing of or to appeal against the same, shall be void, and any Money thereby secured or agreed to be paid shall not be recoverable, and the Party sued on any such Contract or Security may plead in general that the Cause of Action accrued pending Proceedings in Bankruptcy, and may give this Act and the special Matter in Evidence: Provided always, that no such Security, if a negotiable Security,

Proviso.

Security, shall be void as against a *bonâ fide* Holder thereof for Value without Notice of the Consideration for which it was given.

Penalty for obtaining Money, &c. to forbear Opposition, &c.

167. If any Creditor of a Bankrupt shall obtain any Sum of Money, or any Goods, Chattels, or Security for Money, from any Person, as an Inducement for forbearing to oppose, or for consenting to the Allowance of the Discharge of such Bankrupt, or to forbear to petition for the Recal of the same, every such Creditor so offending shall forfeit and lose for every such Offence the treble Value or Amount of such Money, Goods, Chattels, or Security so obtained.

Rehearing of Order of Discharge.

168. The Order of Discharge, whether suspended or not, shall not be reviewed by the Court, unless the Court see good Cause to believe that the Order was obtained on false Evidence, or by reason of the Suppression of Evidence, or otherwise fraudulently; in any of which Cases the Court may, if it think fit, upon the Application of the Bankrupt or of a Creditor who has proved, and subject to such Deposit for Costs, and to such Notices, by Advertisement or otherwise, as the Court shall think fit, grant a Rehearing of the Matter, and rehear it accordingly; and upon Rehearing the Court shall make such Order as shall seem just, in like Manner as it might upon an original Hearing.

As to Suspension of Order on Rehearing.

169. If on such Rehearing the Court shall annul or suspend the Order of Discharge, all Persons having *bonâ fide* become Creditors of the Bankrupt between the Time of the Order originally taking effect and the Time of its being annulled or suspended on Rehearing shall, as against any Property acquired by the Bankrupt during the same Period, and in priority to the original Creditors, be admitted to prove and have Dividends under the Bankruptcy.

Order, when to be drawn up.

170. The Order of Discharge shall not be drawn up until after the Expiration of the Time allowed for Appeal, or, if an Appeal be brought, until after the Decision of the Court of Appeal upon such Appeal, and shall bear Date either the Day after the Expiration of the Time allowed for Appeal, or the Day of the Decision of the Court of Appeal, as the Case may require.

Appeal against Decision as to Order of Discharge.

171. At any Time within Thirty Days after any Order of Discharge shall have been allowed or refused, and subject to such Order as to Deposit of Costs as General Orders shall direct, any Creditor of the Bankrupt, or any Creditors Assignee, or the Bankrupt, may, if the Order of Discharge has been made or refused by any Commissioner or County Court Judge, apply to the Court of Appeal in Chancery that such Order of Discharge may be granted, or recalled and delivered up to be cancelled; and such Court may, on good Cause shown, order such Order of Discharge to be granted, or to be recalled and cancelled.

Form of Order.

172. The Order of Discharge shall be in such Form as General Orders shall direct, and shall be under the Hand of the Commissioner and the Seal of the Court; and Notice of the granting thereof shall be advertised in the *London Gazette* and in Two local Papers.

Notice to be advertised.

As

As to Audit:

No public Sitting for Audit.

173. No public Sittings of the Courts shall be held for the sole Purpose of auditing the Accounts of the Assignees, but such Accounts shall be audited in such Manner as is herein provided, or as General Orders shall direct.

As to Dividend:

Dividend.

174. At the Expiration of Four Months from the Date of the Adjudication of Bankruptcy, or as much earlier as the Court shall appoint, the Creditors Assignee shall submit to a Meeting of Creditors to be called for that Purpose, and to be held before the Registrar, of which Meeting Ten Days Notice shall be given in the *London Gazette* and in Two local Newspapers, a Statement of the whole Estate of the Bankrupt as then ascertained, of the Property recovered, and of the Property outstanding, specifying the Cause of its being so outstanding, and of all the Receipts, and of all Payments thereout, made or to be made; and the Official Assignee shall, and any Creditor who has proved may, attend and examine such Statement, and compare the Receipts with the Payments; and upon ascertaining what Balance is then in the Bank of *England* or other Bank to the Credit of the Estate, the Meeting shall, by Resolution, declare whether any and what Part of the net Produce of the Estate, after making a reasonable Deduction for future Contingencies, shall be divided amongst the Creditors. At the same Meeting the Majority in Value of the Creditors present shall determine whether any and what Allowance shall be made to the Bankrupt out of his Estate, if he has obtained or shall obtain a Discharge.

Assignee not to keep Money in his Hands.

175. If upon such Examination it shall appear that the Creditors Assignee has kept in his Hands at any Time during the Space of One Week more than the Sum of Fifty Pounds belonging to the Estate, the Creditors may, upon establishing such Fact to the Satisfaction of the Court, and if the Assignee shall not show Cause to the contrary, debit such Assignee with Interest for the Amount so kept, at any Rate not exceeding Twenty Pounds *per Centum* by the Year, for the Time such Monies were kept in his Hands.

Provision to be made for Creditors residing at a Distance, &c.

176. In the Calculation of a Dividend it shall be imperative to make Provision for Debts which shall appear from the Bankrupt's Balance Sheet to be due to Persons resident in Places so distant from the Court that in the ordinary Course of Communication they have not had sufficient Time to tender their Proofs, or to establish them if disputed; and also for Debts, the Subject of Claims not yet determined by the Court.

Joint and separate Dividend Sittings.

177. In every Case where joint and separate Estates have to be administered, and where the Court shall not otherwise direct, Dividends of the joint and separate Estates shall be declared at One and the same Sitting, and Notice of the Time appointed for such Dividends, when advertised, shall be given in One and the same Advertisement; and the Costs, Charges, and Expenses of and incident to the Sitting shall be apportioned by the Assignee between the joint and separate Estates as may appear to be fair and reasonable, having regard to the Work done for and the Benefit

Benefit received by each Estate; and a single Fee, and no more, shall be payable to the Solicitor to the Estate in respect of the Sitting.

Dividend List to be prepared by Official Assignee.

178. Within Ten Days after such Meeting, or within such further Time as the Court may allow, the Official Assignee shall prepare Lists of Creditors entitled to Dividend, and shall calculate and set opposite to the Name of each Creditor who has proved under the Estate (subject to the Provision herein contained as to Dividends reserved) the Dividend to which he is entitled, out of the net Produce of the Estate so set apart for a Dividend, and shall forward by Post to every such Creditor a Statement of the Dividend to which he is so entitled, and such Dividends shall be paid at the Bank of *England* or otherwise in such Manner as General Orders shall direct.

Like Proceedings at successive Periods of Four Months.

179. The like Proceedings for the making up and auditing of the Accounts of the Estate, and the Declaration and Payment of a Dividend, which are herein directed to be had at the Expiration of Four Months from the Adjudication of Bankruptcy, shall be had at the successive Expirations of every Period of Four Months, or earlier, as the Case may be, until the whole of the Estate is divided amongst the Creditors, and a Dividend is declared to be final; provided that it shall be lawful for the Majority in Value of the Creditors at any such Meeting as aforesaid to postpone the Period of declaring a Dividend, or at any Time, in declaring a Second Dividend, to declare also that such Second Dividend shall be final, unless any Action at Law or Suit in Equity be depending, or any Part of the Estate be standing out not sold or disposed of, or unless some other Estate or Effects of the Bankrupt shall afterwards come to the Assignee, in which Case he shall, as soon as may be, convert such Estate and Effects into Money, and within Two Months after the same shall be so converted the same shall also be divided in manner aforesaid.

As to the Discharge of the Creditors Assignee:

Effect of Discharge.

180. The Order for Discharge shall operate to release the Creditors Assignee from all Claims and Demands of the Creditors, or of any Person who might have proved under the Bankruptcy, subject nevertheless to such Conditions, if any, as shall be expressed in such Order of Discharge.

Unclaimed Dividends, &c. to be paid into Bank.

181. Every Creditors Assignee shall, before his Discharge, transmit to the Official Assignee a List of unclaimed Dividends on the Estate, and of all Debts remaining due to the Estate, under his Hand, and shall pay all Monies and other Estate of the Bankrupt then in his Hands into the Bank of *England*, to the Account of the Accountant in Bankruptcy, to the Credit of the Estate.

Official Assignee to act after Discharge of Creditors Assignee.

182. Where the Creditors Assignee has obtained an Order of Discharge, the Official Assignee first appointed in the Matter of the Bankruptcy shall, as to any Estate and Effects of the Bankrupt not realized at the Time of such Order of Discharge, and as to all Debts then remaining uncollected, and which shall not have been sold in manner herein provided, and as to any future acquired Property of the Bankrupt, if made liable to the Creditors under

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the Conditions of Discharge, represent the Estate in all respects as the sole Assignee thereof, and shall have and exercise all the Rights, Duties, Powers, and Authorities conferred by this Act upon Official and Creditors Assignees.

Bank to receive any Sum mentioned in Certificate of Accountant in Bankruptcy.

183. The Accountant in Bankruptcy shall, on the Application of any Assignee, give to him a Certificate stating the Amount and Description of any Sum of Money, Notes, Bills, or other negotiable Instruments which he may be desirous of paying into the Bank of *England* under the Provisions herein contained; and on the Production of such Certificate the Governor and Company of the Bank of *England* shall receive the Sum therein mentioned, and such Bills, Notes, or other negotiable Instruments, and give a Receipt for the same, and shall forthwith carry the same to the Credit of the Accountant in Bankruptcy; and every such Certificate and Receipt shall be given without Fee or Reward.

Unclaimed Dividends.

184. All unclaimed Dividends, save Dividends declared before the passing of this Act, and all Monies unclaimed, the Produce of any Bankrupt's Estate, shall, after the Expiration of the Period of Twelve Months from the Dividend having been declared, or from the Time at which any other Monies unclaimed shall have come to the Hands of the Assignee, be transferred to the Credit of "The Unclaimed Dividend Account," subject to the Order of the Court for the Payment thereout of any Dividend due to any Creditor, or for the Distribution of any such other unclaimed Money; and the Interest and Profit arising from the said Account shall from Time to Time be paid over to the Account of the Chief Registrar.

As to Change from Bankruptcy to Arrangement:

Power for Creditors to resolve that Estate ought to be wound up, &c.

185. At the First Meeting of Creditors held after Adjudication in manner herein provided, or at any Meeting to be called for the Purpose, and of which Ten Days Notice shall have been given in the *London Gazette*, Three Fourths in Number and Value of the Creditors present or represented at such Meeting may resolve that the Estate ought to be wound up under a Deed of Arrangement, Composition, or otherwise, and that an Application shall be made to the Court to stay Proceedings in the Bankruptcy for such Period as the Court shall think fit.

Resolution to be reported to Court.

186. The Registrar shall report such Resolution to the Court within Four Days from the Date of such Resolution; and the Bankrupt, or any Creditor nominated in that Behalf by the Meeting, may then apply to the Court that the Proceedings in Bankruptcy may be stayed in the Terms of such Resolution; and the Court, after hearing the Bankrupt, and such Creditors as may desire to be heard for or against the Resolution, and if it shall find that the Resolution was duly carried, and that its Terms are reasonable, and calculated to benefit the general Body of the Creditors under the Estate, shall confirm the same, and make Order accordingly, and in such Order shall give such Directions as to the interim Management of the Estate as it shall deem expedient.

Power for Court to confirm.

Power for Court to make a Declaration of complete

187. If the Proceedings in Bankruptcy be stayed as herein provided, the Bankrupt, or any Creditor nominated in that Behalf by the Meeting aforesaid, may, at any Time within the Period during

Execution of Deed of Arrangement, &c.; and to annul Bankruptcy.

during which the Proceedings are so stayed, produce to the Court a Deed of Arrangement, signed by or on behalf of Three Fourths in Number and Value of all the Creditors of the Bankrupt; and the Court may consider the same, and may examine on Oath the Bankrupt and any of the Creditors who may desire to be heard in support of or in opposition to the Deed, and may make such other Inquiry as it may think necessary; and if the Court shall be satisfied that the Deed has been duly entered into and executed, and that its Terms are reasonable and calculated to benefit the general Body of the Creditors under the Estate, it shall by Order make a Declaration of the complete Execution of the Deed, and shall direct the same to be registered with the Chief Registrar, and shall also, if it thinks fit, annul the Bankruptcy; and such Deed shall thereafter be as binding in all respects on any Creditor who has not executed the Deed as if he had executed it, provided such Deed be registered with the Chief Registrar in manner directed by the Order.

Deed, if registered, binding on Creditors not executing.

Court may entertain Applications of Bankrupt or any Party to the Deed respecting Bankrupt's Estate and Affairs.

188. Either before or after such Order, the Court shall have Jurisdiction to entertain any Application of the Bankrupt, or of any Party to the Deed, or of any Creditor or Person claiming to be a Creditor, respecting the Disclosure, Distribution, Inspection, Conduct, Management, or winding-up of the Bankrupt's Estate and Affairs, or any Act or Thing relating thereto, or respecting the Execution of any of the Trusts or Provisions of the Deed, or the Audit or Examination of the Accounts of a Trustee or Inspector, or the Taxation or Examination of the Costs or Charges of any Attorney, Solicitor, Accountant, Auctioneer, Broker, or other Person acting or employed under the Deed, or generally for the Decision of any Dispute or Question, and shall also have Jurisdiction to entertain any Application of any such Person as aforesaid, respecting any Matter for the Submission whereof to the Court Provision is made by the Deed, or any Matter arising between any of the said Persons, and any other Person appearing and submitting to the Jurisdiction of the Court; and the Court shall determine all Questions arising under the Deed according to the Law and Practice in Bankruptcy, so far as they may be applicable, and on entertaining any such Application shall have Power to make all such Orders as shall seem just, and to enforce all such Orders as in Bankruptcy.

Questions under Deed how to be decided.

Power of the Court to summon and examine Bankrupt, &c.

189. The Court shall have Power, for the Purpose of any Application under these Provisions, or for the better Execution of any Powers given to the Court thereby, to summon, and to examine, upon Oath or otherwise, the Bankrupt, and any Party to the Deed, and any Creditor or Person claiming to be a Creditor, and any Person known or suspected to have any of the Estate in his Possession, or any Person supposed to be indebted to the Estate, or whom the Court may deem capable of giving any Information material to the full Disclosure of the Debtor's Transactions and Affairs, or to the carrying into effect the Provisions of the Deed; and the Court may exercise, as to the Examination of such Persons, and the Production by them of such Books, Papers, Deeds, or Documents as it shall deem requisite, the same Powers that

that are vested in the Court with relation to the Examination of Persons and Witnesses, and the Production of Books, Papers, Deeds, and Documents, in Matters of Bankruptcy.

Where Bankruptcy to proceed as if no Resolution had been passed.

190. If the Resolution aforesaid shall not be duly reported, or if the Court shall refuse the Application to stay Proceedings, or if the Deed of Arrangement shall not be duly produced, or if upon its Production the Court shall not think fit to approve thereof, the Bankruptcy shall proceed as though no such Resolution had been passed; and the Court may make all necessary Orders for resuming the Proceedings in Bankruptcy, and the Period of Time which shall have elapsed between the Date of such Resolution and the Date of the Order for resuming Proceedings shall not be reckoned in calculating Periods of Time prescribed by this Act.

Where Bankruptcy annulled.

191. If the Bankruptcy be annulled, as herein provided, the Order annulling the same shall be filed with the Proceedings, and Notice thereof shall be given in the *London Gazette*.

As to Trust Deeds for Benefit of Creditors, Composition and Inspectorship Deeds executed by a Debtor:

What Deeds to be valid; and upon what Conditions.

192. Every Deed or Instrument made or entered into between a Debtor and his Creditors, or any of them, or a Trustee on their Behalf, relating to the Debts or Liabilities of the Debtor, and his Release therefrom, or the Distribution, Inspection, Management, and winding-up of his Estate, or any of such Matters, shall be as valid and effectual and binding on all the Creditors of such Debtor as if they were Parties to and had duly executed the same, provided the following Conditions be observed; that is to say,

1. A Majority in Number representing Three Fourths in Value of the Creditors of such Debtor whose Debts shall respectively amount to Ten Pounds and upwards shall, before or after the Execution thereof by the Debtor, in Writing assent to or approve of such Deed or Instrument:
2. If a Trustee or Trustees be appointed by such Deed or Instrument, such Trustee or Trustees shall execute the same:
3. The Execution of such Deed or Instrument by the Debtor shall be attested by an Attorney or Solicitor:
4. Within Twenty-eight Days from the Day of the Execution of such Deed or Instrument by the Debtor the same shall be produced and left (having been first duly stamped) at the Office of the Chief Registrar, for the Purpose of being registered:
5. Together with such Deed or Instrument there shall be delivered to the Chief Registrar an Affidavit by the Debtor or some Person able to depose thereto, or a Certificate by the Trustee or Trustees, that a Majority in Number, representing Three Fourths in Value, of the Creditors of the Debtor whose Debts amount to Ten Pounds or upwards have in Writing assented to or approved of such Deed or Instrument, and also stating the Amount in Value of the Property and Credits of the Debtor comprised in such Deed:

6. Such Deed or Instrument shall, before Registration, bear such ordinary and *ad valorem* Stamp Duties as are herein-after provided:

7. Immediately on the Execution thereof by the Debtor, Possession of all the Property comprised therein, of which the Debtor can give or order Possession, shall be given to the Trustees.

Particulars of Deed to be entered by Chief Registrar.

193. The Date, Names, and Descriptions of the Parties to every such Deed or Instrument, not including the Creditors, together with a short Statement of the Nature and Effect thereof, shall be entered by the Chief Registrar in a Book to be kept exclusively for the Purposes of such Registration. Such Entry shall be made within Forty-eight Hours after the Deed shall have been left with the Registrar as aforesaid, and a Copy of such Entry shall be published in the *London Gazette* within Four Days after the making of such Entry.

Copy to be published.

Deed to be registered in Court, and in default, not to be Evidence.

194. Every Deed, Instrument, or Agreement whatsoever, by which a Debtor, not being a Bankrupt, conveys or covenants or agrees to convey his Estate and Effects, or the principal Part thereof, for the Benefit of his Creditors, or makes any Arrangement or Agreement with his Creditors, or any Person on their Behalf, for the Distribution, Inspection, Conduct, Management, or winding-up of his Affairs or Estate, or the Release or Discharge of such Debtor from his Debts or Liabilities, shall, within Twenty-eight Days from and after the Execution thereof by such Debtor, or within such further Time as the Court in *London* shall allow, be registered in the Court of Bankruptcy; and in default thereof shall not be received in Evidence.

Stamp Duties on Deeds.

No Deed to be registered if unstamped.

195. No Deed or Instrument whatever required to be registered as aforesaid shall be registered unless in addition to the ordinary Stamp Duty it also be impressed with or have affixed to it a Stamp denoting a Duty computed at the Rate of Five Shillings upon every Hundred Pounds, or Fraction of an Hundred Pounds, of the sworn or certified Value of the Estate or Effects comprised in, or to be collected or distributed under, such Deed or Instrument: Provided, that the Maximum of *ad valorem* Duty payable in respect of any such Deed or Instrument shall be Two hundred Pounds.

Memorandum of Registration.

196. Every such Deed, on being so registered as aforesaid, shall have a Memorandum thereof written on the Face of such Deed, stating the Day and the Hour of the Day at which the same was brought into the Office of the Chief Registrar for Registration.

Jurisdiction of the Court, and Rights and Liabilities of the Parties, after Registration of Deed.

197. From and after the Registration of every such Deed or Instrument in manner aforesaid, the Debtor and Creditors, and Trustees, Parties to such Deed, or who have assented thereto or are bound thereby, shall in all Matters relating to the Estate and Effects of such Debtor be subject to the Jurisdiction of the Court of Bankruptcy, and shall respectively have the Benefit of and be liable to all the Provisions of this Act, in the same or like Manner as if the Debtor had been adjudged a Bankrupt, and the Creditors had proved, and the Trustees had been appointed

Creditors

Creditors Assignees under such Bankruptcy; and the existing or future Trustees of any such Deed or Instrument, and the Creditors under the same, shall as between themselves respectively, and as between themselves and the Debtor and against Third Persons, have the same Powers, Rights, and Remedies, with respect to the Debtor and his Estate and Effects, and the Collection and Recovery of the same, as are possessed or may be used or exercised by Assignees or Creditors with respect to the Bankrupt, or his Acts, Estate and Effects in Bankruptcy; and, except where the Deed shall expressly provide otherwise, the Court shall determine all Questions arising under the Deed according to the Law and Practice in Bankruptcy, so far as they may be applicable, and shall have Power to make and enforce all such Orders as it would be authorized to do if the Debtor in such Deed had been adjudged bankrupt, and his Estate were administered in Bankruptcy.

Protection to Debtor after Notice of filing, &c. of Deed.

198. After Notice of the filing and Registration of such Deed has been given as aforesaid, no Execution, Sequestration, or other Process against the Debtor's Property in respect of any Debt, and no Process against his Person in respect of any Debt, other than such Process by Writ or Warrant as may be had against a Debtor about to depart out of *England*, shall be available to any Creditor or Claimant, without Leave of the Court; and a Certificate of the filing and Registration of such Deed under the Hand of the Chief Registrar and the Seal of the Court shall be available to the Debtor for all Purposes as a Protection in Bankruptcy.

Stay of Proceedings in Bankruptcy after Execution of Deed.

199. In case any Petition shall be presented for an Adjudication in Bankruptcy against a Debtor after his Execution of such Deed or Instrument as is herein-before described, and pending the Time allowed for the Registration of such Deed or Instrument, all Proceedings under such Petition may be stayed, if the Court shall think fit; and in case such Deed or Instrument shall be duly registered as aforesaid, the Petition shall be dismissed.

Provision in case Debtor cannot obtain Assent of requisite Majority of Creditors.

200. If a Debtor cannot obtain the Assent of a Majority in Number representing Three Fourths in Value of his Creditors, by reason of his being unable to ascertain by whom Bills of Exchange, Promissory Notes, or other negotiable Securities accepted, drawn, made, or endorsed by him are holden, or by reason of the Absence of Creditors in a Foreign Country, or other similar Circumstances, it shall be sufficient if he obtain the Consent of a Majority in Number representing Three Fourths in Value of all his other Creditors to such Deed or Instrument as aforesaid; provided that Notice shall have been inserted by or on behalf of the Debtor in One or more Newspapers published in the County or Place at which he shall have carried on Business immediately prior to the Date of such Deed or Instrument, requiring his Creditors to signify their Assent to or Dissent from such Deed or Instrument by Notice in Writing addressed to the Trustee or Trustees thereof within Fourteen Days from the Insertion of such Notice, and that the Affidavit or Certificate of the Trustee or Trustees shall state the Circumstances of the Case, and the

same shall be allowed by the Court, and provided the Deed or Instrument be in such Form as is expressed in Schedule (D.) to this Act annexed, which shall vest all the Estate and Effects of the Debtor in the Trustees of such Deed, and provided that all such other Conditions as are herein-before required be duly complied with.

As to Notices and Advertisements:

What Notices to be sent by Post.

201. All Notices by this Act or by General Order required to be served on any Person shall be sent by Post addressed to the last known Place of Business or Abode of such Person, subject to such Regulations as to Registration and otherwise as such General Orders shall direct; provided that this present Clause shall not apply to or affect Notices by this Act or by any General Order required to be personally served.

Proviso.

General Orders as to Advertisements.

202. General Orders respecting the Form and Contents of Notices in the *London Gazette* and otherwise may provide for Notices concerning more Bankruptcies than One being comprised in One Advertisement, and may fix the Price to be paid to the Printer of the *London Gazette* for Advertisements, which Price the said Printer is hereby required to receive as such Payment.

As to Evidence:

Petitions, &c. and Copies, purporting to be sealed with the Seal of the Court, admissible in Evidence.

203. Any Petition for Adjudication, or Arrangement, Adjudication of Bankruptcy, Assignment, Appointment of Official or Creditors Assignee, Certificate, Deposition, or other Proceeding or Order in Bankruptcy, or under any of the Provisions of this Act, appearing to be sealed with the Seal of any Court under this Act, or any Writing purporting to be a Copy of any such Document, and purporting to be so sealed, shall at all Times, and on behalf of all Persons, and whether for the Purposes of this Act or otherwise, be admitted in all Courts whatever as Evidence of such Documents respectively, and of such Proceedings and Orders having respectively taken place or been made, and be deemed respectively Records of such Court, without any further Proof thereof; and no such Copy shall be receivable in Evidence unless the same appear to be so sealed, except where otherwise in this Act specially provided.

Judicial Notice to be taken of Signature of Commissioner, &c.

204. All Courts, Judges, Justices, and Persons judicially acting, and other Officers, shall take judicial Notice of the Signature of any Commissioner or Registrar of the Courts, and of the Seal of the Courts, subscribed or attached to any judicial or official Proceeding or Document to be made or signed under the Provisions of this Act.

Forging Signature of Commissioner or Officer, or Seal of Court, &c., Felony.

205. If any Person shall forge the Signature of any Commissioner, Registrar, or of the Master or other Officer of the Court, or shall forge or counterfeit the Seal of the Courts, or knowingly concur in using any such forged or counterfeit Signature or Seal, for the Purpose of authenticating any Proceeding or Document, or shall tender in Evidence any such Proceeding or Document with a false or counterfeit Signature of any such Commissioner, Registrar, Master, or other Officer, or a false or counterfeit Seal of the Court, subscribed or attached thereto, knowing such Signature or Seal to be false or counterfeit, every such Person shall be

be guilty of Felony, and shall be liable to the same Punishment as any Offender under the Act of the Session of Parliament of the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter One hundred and thirteen.

Evidence as to Insolvency.

206. A Copy of any Petition filed in the Court for the Relief of Insolvent Debtors in *England*, or in any Court having Jurisdiction for the Relief of Insolvent Debtors, or in Bankruptcy, in any of Her Majesty's Dominions, Colonies, or Dependencies, and of any Vesting Order, Schedule, Order of Adjudication, or other Proceedings, purporting to be signed by the Officer in whose Custody the same shall be or his Deputy, certifying the same to be a true Copy of such Petition, Vesting Order, Schedule, Order of Adjudication, or other Order or Proceedings, and appearing to be sealed with the Seal of such Court, shall at all Times be admitted under this Act as sufficient Evidence of the same, and of such Proceedings respectively having taken place, without any other Proof whatever given of the same.

As to Affidavits, Declarations, and Affirmations:

Affidavits, Declarations, &c. before whom to be sworn.

207. Any Affidavit, Declaration, or Affirmation required to be sworn or made in relation to any Matter under this Act may be lawfully sworn—

1. In *England*, *Scotland*, and *Ireland*, before any Court acting in Matters of Bankruptcy, or before any Registrar or Taxing Master thereof, or before any Commissioner for administering Oaths in Chancery or any of the Superior Courts of Common Law at *Westminster*, or before any Officer of the High Court of Chancery, duly authorized to administer Oaths in such Court, or before a Magistrate of the County, City, Town, or Place where any such Affidavit shall be sworn:
2. In any Colony, Island, Plantation, or Place under the Dominion of Her Majesty, before any Court, Judge, or Person lawfully authorized to take and receive Affidavits, Affirmations, or Declarations:
3. In any Foreign Parts out of Her Majesty's Dominions, before a Judge or Magistrate, his Signature being authenticated by the Official Seal of the Court to which he is attached, or by a Public Notary, or before a *British* Minister, Consul or Vice Consul:

Judicial Notice of Seal or Signature thereto.

And every such Court, Judge, Officer, or other Person is hereby authorized and required to administer the Oath upon any such Affidavit, or to take such Affirmation or Declaration; and all Courts, Judges, Justices, Commissioners, and Persons acting judicially shall take judicial Notice of the Seal or Signature (as the Case may be) of any such Court, Judge, Officer, or other Person, attached, appended, or subscribed to any such Affidavit or Declaration, or to any other Document to be used for the Purposes of this Act, or of other Acts in relation hereto.

Courts of Bankruptcy to be auxiliary for taking Affidavits, &c.

208. The Court of Bankruptcy in *London*, and the District Courts of Bankruptcy in *England*, are in like Manner authorized and required to administer Oaths, or to receive Affirmations or Declarations, upon any Affidavit or Declaration or Affirmation

to be used elsewhere.

to be used in any Matter of Bankruptcy or Insolvency under Prosecution or hereafter to be prosecuted in any Court in *Scotland*, *Ireland*, or in any Colony, Island, Plantation, or Place under the Dominion of Her Majesty; and all such Courts shall take judicial Notice of any Affidavit, Declaration, or Affirmation so sworn or made.

As to Fees on taking Oaths, or making Declarations, in Bankruptcy.

209. No Fee shall be payable on the swearing of any Oath, or the making of any Affirmation or Declaration, taken or made in the *London* Court, or in any District Court of Bankruptcy, in any Matter of Bankruptcy, Arrangement, or Insolvency within the United Kingdom, or in any of Her Majesty's Dominions, Colonies, or Dependencies, and no Fee or Reward whatever shall be taken or received by any Court or Magistrate for or in respect of the taking of such Oath, or the making of such Affirmation or Declaration, other than such Fee or Reward as General Orders shall allow.

Affidavits by Prisoners.

210. Any Affidavit of any Prisoner in any of Her Majesty's Prisons or Gaols in *England*, to be used in any Matter under this Act, may be sworn before the Visiting or other Justices, or if within Twelve Hours none shall attend then before the Gaoler of such Prison or Gaol, and every such Justice or Gaoler is hereby required and authorized to administer the Oath upon any such Affidavit without Fee or Reward.

Bankrupts and their Wives to sign Declaration.

211. All Bankrupts shall, and the Wives of such Bankrupts shall, when so required by the Court, make and sign the Declaration contained in the Schedule (E.) to this Act annexed, but such Declaration shall not in any Case exempt such Bankrupt or Bankrupt's Wife from being examined upon Oath, if the Court or any Creditor shall so require.

As to Solicitors:

Solicitors of the Court may practise as such, and appear and plead without Counsel.

212. Every Solicitor of the High Court of Chancery, now or hereafter admitted as a Solicitor of the Court of Bankruptcy, may practise as such Solicitor in the said Court or in any District Court, and as to all Matters before the Commissioners or in Chambers may appear and plead without being required to employ Counsel; and in case any Person not being such Solicitor shall practise in the Court as a Solicitor he shall be deemed guilty of a Contempt of Court and be liable to all the Penalties incident thereto.

As to Costs:

Power to award Costs.

213. Any Court acting under this Act may in all Matters before it award such Costs as shall seem fit and just; and all Costs so awarded shall be recoverable in the same Manner as Costs awarded by a Rule of any of the Superior Courts at *Westminster* may be recovered, and the like Remedies may be had, upon an Order of such Court, for Costs, as upon a Rule of any of the said Superior Courts for Costs; but no such Order shall affect any Lands, Tenements, or Hereditaments, as to Purchasers, Mortgagees, or Creditors, unless and until it shall be registered, and, if necessary, re-registered, pursuant to the Provisions of the Act of the Session of Parliament of the Twenty-third and Twenty-fourth Years of the Reign of Her Majesty, Chapter Thirty-

Remedies for recovering Costs.

Order must be registered under 23 & 24 Vict. c. 38.

Thirty-eight, any Notice of any such Order to any such Purchaser, Mortgagee, or Creditor in anywise notwithstanding.

As to Orders of the Lord Chancellor and of the Court of Appeal in Chancery:

1 & 2 Vict. c. 110. to be applicable to Orders of Lord Chancellor, &c.

214. The Provisions of the Act of the Session of Parliament of the First and Second Years of the Reign of Her Majesty, Chapter One hundred and ten, so far as the same relate to Orders of the Lord Chancellor, or of the Court of Review, therein referred to, in Matters of Bankruptcy, and the Powers given by the same Act to the Lord Chancellor and the said Court of Review in Matters of Bankruptcy, shall extend to and be applicable to Orders of the Lord Chancellor and of the Court of Appeal in Chancery sitting in Bankruptcy under this Act.

As to the Attendance of Witnesses out of the Jurisdiction:

Certain Provisions of 17 & 18 Vict. c. 34. extended to Court of Bankruptcy.

215. The Provisions of an Act passed in the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, Chapter Thirty-four, intituled *An Act to enable the Courts of Law in* England, Ireland, *and* Scotland *to issue Process to compel the Attendance of Witnesses out of their Jurisdiction, and to give Effect to the Service of such Process in any Part of the United Kingdom*, shall extend to and the Powers thereof shall be exercised by the Commissioners of the Court of Bankruptcy.

As to the Powers for mutual Aid of the Courts in *England* and elsewhere:

Courts in Scotland to be auxiliary to Court in England in the Examination of Witnesses, &c.

Proceedings for that Purpose.

216. The Court may direct the Examination in *Scotland* of any Person for the Time being in *Scotland*, being a Person believed to be capable of giving Information in any Matter in regard to the Acts, Estate, or Dealings of any Bankrupt or Petitioner within the Provisions of this Act, and the Order for such Examination may be directed in *Scotland* to the Sheriff of the County in which the Person to be examined is residing or happens to be for the Time; and such Sheriff may, in like Manner as in Examinations in any Matter in Bankruptcy before such Sheriff, summon such Person to appear before him, at a Time and Place to be specified in the Summons, for Examination upon Oath, as Witness or Haver, and to produce any Books, Papers, Deeds, or Documents called for which may be in his Possession or Power; and the Sheriff may take such Examination either orally or upon written Interrogatories, and shall report the same in Writing in the usual Form to the Court, and shall transmit with such Report either the original Books, Papers, Deeds, or Documents produced, or otherwise such Copies thereof or Extracts therefrom, authenticated by the Sheriff, as he shall think fit or deem necessary; and in case any Person so summoned shall fail to appear at the Time and Place specified, or appearing shall refuse to be examined or to make the Production required, the Sheriff shall proceed against such Person, as a Witness or Haver duly cited, and failing to appear or refusing to give Evidence, or make Production, may be proceeded against by the Law of *Scotland*; and the Sheriff shall be entitled to such and the like Fees, and the Witness shall be entitled to such and the like Allowances, as are allowed to Commissioners under Appointment

Appointment from the Court of Session, and as Witnesses and Havers are entitled to in the like Cases according to the Law and Practice of *Scotland*. If any Objection be stated to the Sheriff by the Witness, either on the Ground of his Incompetency as a Witness, or as to the Production required to be made, or on any other Ground whatever, the Sheriff may dispose of such Objection, or, if he think fit, report such Objection to the Court, and suspend the Examination of such Witness until such Objection has been disposed of by the Court.

Courts in Ireland to be auxiliary in like Manner.

217. The Court may, in like Manner, direct any such Examination, in *Ireland*, of any Person for the Time being in *Ireland*, being a Person believed to be capable of giving such Information in any such Matter under this Act; and such Examination in *Ireland* may be directed to the Court of Bankruptcy in *Ireland*, which, for the Purpose of such Examination, and for the Production of Books, Papers, Deeds, or Documents, shall have the like Powers and Authorities in all respects as relates to Matters within this Act as are in the next preceding Section given to Sheriffs in *Scotland*, or as might be exercised by such Court in the Case of a Matter within its own Jurisdiction.

Where Debtor who has been adjudged bankrupt, &c. in India or the Colonies resides, or has Property, in England, &c., Power to obtain Adjudication in England, &c.

218. If any Person who shall have been duly adjudged or declared bankrupt or insolvent in *India*, or any of the Foreign Dominions, Plantations, or Colonies of Her Majesty, shall be resident or shall be possessed of Property in *England*, *Ireland*, or *Scotland*, or in any Colony, Plantation, or Foreign Possession of the Crown, it shall be lawful for the Assignee, Trustee, or other Representative of the Creditors of such Bankrupt or Insolvent to apply for and obtain an Adjudication of Bankruptcy, Sequestration, or Insolvency against such Person in the Court of Bankruptcy in *England*, and in the proper Court in *Scotland*, *Ireland*, and such Colony, Plantation, or Foreign Possession of the Crown respectively, and by virtue thereof the same Order and Disposition shall be had and taken with respect to the Person and Property of the Bankrupt or Insolvent, as would have been if he had been originally adjudged bankrupt or insolvent by the Court or Tribunal so applied to. Upon such Application it shall not be necessary for the Assignee, Trustee, or other Representative of the Creditors of the Person so declared bankrupt or insolvent as aforesaid to give Proof of any Act of Bankruptcy or Petitioning Creditor's Debt, or to produce any other Evidence than a duly certified Copy, under the Seal of the Court, of the Order or Adjudication by which such Person was found or adjudged bankrupt or insolvent.

Orders in England to be enforced in Scotland and Ireland;

219. Any Order made by the Court, or by any Court in *England*, acting under this Act, in the Course of the Prosecution of any Matter under this Act, shall be enforced in *Scotland* and *Ireland* in the Courts that would respectively have had Jurisdiction in respect of such Matter if the Residence or Place of Business of the Debtor had been situate in *Scotland* or *Ireland*, and in the same Manner in all respects as if such Order had been made by the Courts that are hereby required to enforce the same; and in like Manner Orders, Interlocutors, and Decrees made by

and conversely.

any

any Court in *Scotland* for or in the Course of any Bankruptcy or Insolvency shall be enforced in *England* and *Ireland*; and Orders made by the Court in *Ireland* for or in the Course of any such Proceedings shall be enforced in *England* and *Scotland* by the Courts of Bankruptcy which would respectively have had Jurisdiction in any such Matter, and in the same Manner in all respects as if such Order had been made by the Court required to enforce the same in the Case of a Matter within its own Jurisdiction.

Courts in England to be auxiliary to Courts in Scotland, &c.

220. The Court and the District Court in *London*, and the District Courts in the Country, shall in like Manner be auxiliary, for all Purposes of Proof of Debt, and for the Examination of Persons and Witnesses upon Oath, or for other like Purposes, to the Courts acting in Matters of Bankruptcy or Insolvency in *Scotland* and in *Ireland*, and also to any Court acting in such Matters in any Colony, Island, Plantation, or Place under the Dominion of Her Majesty, or to any *British* Judge elsewhere so acting.

As to Misdemeanors under this Act:

Penalty on Persons guilty of Misdemeanors herein named.

221. From and after the Commencement of this Act, any Bankrupt who shall do any of the Acts or Things following, with Intent to defraud or defeat the Rights of his Creditors, shall be guilty of a Misdemeanor, and shall be liable, at the Discretion of the Court before which he shall be convicted, to Punishment by Imprisonment for not more than Three Years, or to any greater Punishment attached to the Offence by any existing Statute:

1. If he shall not upon the Day limited for his Surrender, and before Three of the Clock of such Day, or at the Hour and upon the Day allowed him for finishing his Examination, after Notice thereof in Writing, to be served upon him personally or left at his usual or last known Place of Abode or Business, and after the Notice herein directed in the *London Gazette*, surrender himself to the Court (having no lawful Impediment allowed by the Court), and sign or subscribe such Surrender, and submit to be examined before such Court from Time to Time:
2. If he shall not upon his Examination fully and truly discover, to the best of his Knowledge and Belief, all his Property, Real and Personal, inclusive of his Rights and Credits, and how and to whom, and for what Consideration, and when he disposed of, assigned, or transferred any Part thereof, except such Part as has been really and *bonâ fide* before sold or disposed of in the Way of his Trade or Business, if any, or laid out in the ordinary Expense of his Family, or shall not deliver up to the Court, or dispose as the Court directs of all such Part thereof as is in his Possession, Custody, or Power, except the necessary Wearing Apparel of himself, his Wife and Children; and deliver up to the Court all Books, Papers, and Writings in his Possession, Custody, or Power relating to his Property or Affairs:

3. If

3. If he shall, after Adjudication, or within Sixty Days prior to Adjudication, with Intent to defraud his Creditors, remove, conceal, or embezzle any Part of his Property to the Value of Ten Pounds or upwards:
4. If, in case of any Person having to his Knowledge or Belief proved a false Debt under his Bankruptcy, he shall fail to disclose the same to his Assignees within One Month after coming to the Knowledge or Belief thereof:
5. If he shall, with Intent to defraud, wilfully and fraudulently omit from his Schedule any Effects or Property whatsoever:
6. If he shall, after the filing of the Petition for Adjudication, with Intent to conceal the State of his Affairs, or to defeat the Object of the Law of Bankruptcy, conceal, prevent or withhold the Production of any Book, Deed, Paper, or Writing relating to his Property, Dealings, or Affairs:
7. If he shall, after the filing of the Petition for Adjudication, or within Three Months next before Adjudication, with Intent to conceal the State of his Affairs, or to defeat the Objects of the Law of Bankruptcy, part with, conceal, destroy, alter, mutilate, or falsify, or cause to be concealed, destroyed, altered, mutilated, or falsified, any Book, Paper, Writing, or Security, or Document relating to his Property, Trade, Dealings, or Affairs, or make or be privy to the making of any false or fraudulent Entry or Statement in or Omission from any Book, Paper, Document, or Writing relating thereto:
8. If, within the like Time, he shall, knowing that he is at the Time unable to meet his Engagements, fraudulently and with Intent to diminish the Sum to be divided amongst the general Body of his Creditors, have made away with, mortgaged, encumbered, or charged any Part of his Property, of what Kind soever, or if after Adjudication he shall conceal from the Court or his Assignee any Debt due to or from him:
9. If, being a Trader, he shall, under his Bankruptcy, or at any Meeting of his Creditors within Three Months next preceding the filing of the Petition for Adjudication, have attempted to account for any of his Property by fictitious Losses or Expenses:
10. If, being a Trader, he shall, within Three Months next before the filing of the Petition for Adjudication, under the false Colour and Pretence of carrying on Business and dealing in the ordinary Course of Trade, have obtained on Credit from any Person any Goods or Chattels with Intent to defraud:
11. If, being a Trader, he shall, with Intent to defraud his Creditors, within Three Months next before the filing of the Petition for Adjudication, pawn, pledge, or dispose of, otherwise than by *bonâ fide* Transactions in the ordinary Way of his Trade, any of his Goods or Chattels which have been obtained on Credit and remain unpaid for.

Jurisdiction and Powers of Commissioners in respect of Bankrupt guilty of any of Offences herein named.

222. If it shall at any Time appear to any Court under this Act that the Bankrupt has been guilty of any of the Offences in the next preceding Section set forth, such Court shall have and may exercise such Jurisdiction, Rights, Powers, and Privileges, for the summoning, apprehending, committing, remanding, bailing, and otherwise proceeding in respect of such Bankrupt, as are exercised by and vested in Her Majesty's Justices of the Peace in respect of Persons against whom a Charge or Complaint shall have been made before any One or more of the said Justices in respect of any Felony or indictable Misdemeanor committed within the Limits of the Jurisdiction of such Justice or Justices; and all the Provisions of the Act of the Session of Parliament of the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter Forty-two, shall, with such Variations as the Nature of the Case may require, extend and apply to the Court, and to the Commissioners of the *London* and other District Courts of Bankruptcy, and to the Judges of the County Courts acting in Matters under this Act, and their Proceedings, as well as to Justices of the Peace and their Proceedings.

Provisions of 11 & 12 Vict. c. 42. extended to this Act.

Court may appoint Prosecutor.

223. The Court may direct that the Creditors Assignee, or, if there be no Creditors Assignee, the Official Assiguee, or any of the Creditors of the Bankrupt, shall act as the Prosecutor in respect of such Offence, and shall give to such Assignee or Creditor a Certificate of the Court having so directed, which Certificate shall be deemed sufficient Proof of such Prosecution having been directed as aforesaid; and upon the Production of such Certificate the Costs of such Prosecution shall be allowed by the Court before which any Person shall be prosecuted or tried in pursuance of such Direction, unless such last-mentioned Court shall specially otherwise direct, and when allowed by any such Court such Sum so allowed shall be ordered by the said Court to be paid and borne in all respects in the same Manner as the Expenses of Prosecutions for Felonies are now paid and borne, and the same shall be paid and borne accordingly; and any Expenses incurred by such Prosecutor, other than those so defrayed in accordance with the next following Clause, shall be paid out of the Account intituled "The Chief Registrar's Account."

Costs of Prosecution.

Court may direct Reference to Attorney General.

224. The Court may direct the Assignees to lay the Papers before the Attorney General (or the Solicitor General during a Vacancy in the Office of Attorney General) for his Direction thereon, either while the Bankruptcy is pending before the Court or when it has been brought to a Conclusion.

Indictment.

225. In any Indictment or Information for any Misdemeanor under this Act it shall be sufficient to set forth the Substance of the Offence charged, without alleging or setting forth any Debt, Act of Bankruptcy, Petition, or Adjudication, or any Summons, Warrant, Order, Rule, or Proceeding of or in any Court acting under this Act.

Miscellaneous Clauses:

Court may commit Persons wilfully disobeying any

226. If any Person shall wilfully disobey any Rule or Order of the Court, duly made for enforcing any of the Purposes and Provisions of this Act, the Court may, by Warrant in the Form contained

Rule, &c. of Court.

contained in the Schedule (F.) to this Act annexed, commit the Person so offending to the Queen's Prison, or to the Common Gaol of any County, City, or Place where he shall be found or where he shall usually reside, there to remain, without Bail or Mainprise, until such Court, or the Court of Appeal in Chancery sitting in Bankruptcy, shall make Order to the contrary.

Money forfeited, how to be sued for.

227. All Sums of Money forfeited under this Act, or by virtue of any Conviction for Perjury committed in any Oath, Affirmation, or Declaration thereby directed or authorized, may be sued for by the Creditors Assignee or Trustee, or such other Person as the Court shall by Order direct, in any of Her Majesty's Superior Courts of Record.

Application of Sects. 114, 115, 116, and 117 of 9 & 10 Vict. c. 95.

228. The several Provisions contained in the One hundred and fourteenth, One hundred and fifteenth, One hundred and sixteenth, and One hundred and seventeenth Clauses of the Act passed in the Ninth and Tenth Years of Her Majesty, Chapter Ninety-five, shall apply to all Officers of the Court and of the County Courts sitting in Bankruptcy, who act in execution of Warrants and Orders of such Courts, as if these several Clauses had been enacted hereby.

As to the Definition and Explanation of Terms :

Definition of Terms, &c.

229. The Terms and Words herein-after enumerated or explained, wheresoever occurring in this Act, shall be understood as herein-after defined or explained, unless it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Definition or Explanation ; that is to say,

"Annulling :" "Annulling" shall mean also "superseding :"

"Assignees :" "Assignee" shall mean the Assignee of the Estate and Effects of the Bankrupt or Petitioner, chosen by the Creditors ; and until such Assignee shall be chosen, or where no such Assignee shall exist, shall mean the Official Assignee :

"Bank of England :" "Bank of *England*" shall mean also all Branches or Agents thereof :

"Bankrupt :" "Bankrupt" shall mean any Person who shall have been under any former Acts, or who shall be by any Court under the Provisions of this Act, adjudicated bankrupt :

"Commissioner," &c. "Commissioner," and "Commissioner of the Court of Bankruptcy," shall include the Judge of any County Court entitled to act in Bankruptcy under this Act :

"Court :" "Court," "the Court," "the Courts," shall mean the Court in *London*, or any Country District Court, or any County Court, acting under this Act, according as such several Constructions shall be consistent with the Context :

"Court of Bankruptcy :" "Court of Bankruptcy" shall mean Her Majesty's Court of Bankruptcy constituted under this Act, and the Commissioners thereof :

"Creditor :" "Creditor" shall mean also any Two or more Persons being Partners, and incorporated and Joint Stock Companies :

"Creditors present at any Meeting :" "Creditors present at any Meeting" shall include Creditors who are represented by some Person duly authorized by any such Creditor in Writing, and such Authority shall not require a Stamp :

"Gaoler" shall include the Keeper or Governor of any Gaol or Prison : "Gaoler :"

"Messenger" shall mean also and include his Assistant or Assistants, duly authorized by him to act as his Deputy or Deputies, when acting under Order of the Court : "Messenger :"

"Metropolitan District" shall mean and include every Parish the Distance whereof as measured by the nearest Highway from the General Post Office in *London* to the Parish Church of such Parish shall not exceed Twenty Miles : "Metropolitan District :"

"Oath," "Affidavit," shall mean and include the Declaration or Affirmation of any Person whom any Act of Parliament shall have authorized to make such Declaration or Affirmation in lieu of an Oath : "Oath :" "Affidavit :"

"Petition for Adjudication" or "Petition in Bankruptcy" shall mean any Petitions by or against a Debtor for Adjudication of Bankruptcy ; and where in any Act of Parliament, Instrument, Document, or other Proceeding granted, executed, or made before the Commencement of this Act Mention shall have been or shall be made of any Fiat in Bankruptcy or Commission in Bankruptcy, such Act, Instrument, Document, or Proceeding shall be construed as though such Fiat or Commission had been a Petition in Bankruptcy under this Act, so far as the Circumstances will admit : "Petition for Adjudication of Bankruptcy :"

"Petitioning Creditor" shall mean the Creditor who filed the Petition for Adjudication : "Petitioning Creditor :"

"Property" shall mean and include all the Real and Personal Estate and Effects of the Petitioner or Bankrupt within this Realm and abroad (except as herein provided), and all the future Estate, Right, Title, Interest, and Trust of such Petitioner or Bankrupt in or to any Real or Personal Estate and Effects, within this Realm or abroad, which may revert, descend, be devised or bequeathed or come, and all Debts due or to be due to him, before he shall have obtained his Discharge : "Property :"

"Prisoner" shall mean any Person in actual Custody within the Walls, Rules, or Liberties of any Prison in *England* for any Debt, Damages, Costs, Sum or Sums of Money, or for any Contempt by reason of Nonpayment of any Sum or Sums of Money or Costs : "Prisoner :"

"Proper County Court" shall mean the County Court within the District of which the Debtor has resided or carried on Business during the Six Months next immediately preceding the Time of filing a Petition under this Act by or against him, or for the longest Period during such Six Months : "Proper County Court :"

"Sheriff" shall include Sheriff Substitute : "Sheriff :"

"Suit" shall include Action at Law and Suit at Equity or other Proceeding : "Suit :"

For the Purposes of this Act, all Persons shall be deemed Traders who prior to the Commencement of this Act would have been liable to be adjudicated bankrupt under the Laws of Bankruptcy then in force : "Trader :"

"United Kingdom" shall mean the United Kingdom of *Great Britain* and *Ireland* : "United Kingdom :"

In

Computation of Time.

In all Cases in which any particular Number of Days is prescribed by this Act, or shall be mentioned in any Rule or Order of Court which shall at any Time be made under this Act, for the doing of any Act, or for any other Purpose, the same shall be reckoned, in the Absence of any Expression to the contrary, exclusive of the first and inclusive of the last Day, unless the last Day shall happen to fall on a *Sunday*, *Christmas Day*, *Good Friday*, *Monday* and *Tuesday* in *Easter* Week, or a Day appointed for a Public Fast or Thanksgiving, in which Case the Time shall be reckoned exclusive of that Day also.

Concluding Clauses:

Acts and Parts of Acts in Schedule (G.) repealed.

230. The Acts and Parts of Acts set forth in Schedule (G.) to this Act to the Extent to which they are therein expressed to be repealed, and all other Acts or Parts of Acts which are inconsistent with this Act, are repealed; but such Repeal shall not affect any Proceeding pending, or any Right that has arisen or may arise, or any Penalty incurred or that may be incurred, in respect of any Transaction, Act, Matter, or Thing done or existing prior to or at the Commencement of this Act, under or by virtue of any of the Acts or Parts of Acts repealed.

Limit of Act.

231. This Act shall not extend to *Scotland* or *Ireland*, unless where otherwise expressly provided.

Commencement of Act.

232. This Act shall commence and take effect from and after the passing thereof, as to the Appointment of the Officers hereby authorized to be appointed, and as to all other Matters and Things, from and after the Eleventh Day of *October* One thousand eight hundred and sixty-one, and shall be construed, together with so much of "The Bankrupt Law Consolidation Act, 1849" and "The Bankruptcy Act 1854," as remain unrepealed, as One Act, and may be cited for all Purposes as "The Bankruptcy Act, 1861."

Short Title.

SCHEDULES.

SCHEDULE (A.)

To the Persons filling the under-mentioned Offices in the Court of Bankruptcy, the following Salaries shall be payable:—

	£
The Chief Registrar - - - -	1,400
The Registrars acting in London, each -	1,200
The Registrars acting in the Country, each -	1,000
The Registrar in attendance upon the Chief Judge - - - - -	1,200
The Taxing Master - - - -	1,400
The Accountant in Bankruptcy - -	1,500
The Registrar of Meetings - - -	250

The Clerks in the several Offices of the Accountant in Bankruptcy, the Chief Registrar, the Taxing Master, the Ushers of the Court, the Clerk and Trainbearer, Ushers, and Assistant Ushers of the Lords Justices of the Court of Appeal in Bankruptcy, shall continue to receive the same Salaries, and out of the same Funds, as if this Act had not been passed.

SCHE-

SCHEDULE (B.)

DOCUMENT.	Stamp Duty in lieu of Fees. £	s.	d.
Every Petition presented to a Court of Bankruptcy for Adjudication of Bankruptcy, or for Arrangement between any Debtor and his Creditors -	5	0	0
Every such Petition when presented to the London Court or to a County Court by Traders whose Debts do not exceed £300 - - -	1	0	0
Every Order of Discharge - - - -	1	0	0
Every Declaration of Insolvency - - -	0	2	6
Every Registration of Trust Deeds - -	0	10	0
Every Summons of Judgment Debtor or Debtor -	0	2	6
Every Admission of such Debtor - - -	0	2	6
Every Deposition of good Defence - - -	0	2	6
Every Bond with Sureties - - - -	0	5	0
Every Application for Search for Petition or other Proceeding - - - - - -	0	1	0
Every Application for any Meeting in any Matter under this Act - - - - -	0	5	0
Every Allocatur by any Officer of the Court for any Costs, Charges, or Disbursements,—where such Bill of Costs shall not exceed £5 - -	0	1	6
Exceeding £5 and not exceeding £10 - -	0	2	6
„ 10 „ 20 - -	0	5	0
„ 20 „ 30 - -	0	7	6
„ 30 „ 50 - -	0	10	0
„ 50 „ 100 - -	0	15	0
„ 100 „ 150 - -	1	0	0
„ 150 „ 200 - -	1	10	0
„ 200 „ 300 - -	2	0	0
„ 300 „ 500 - -	3	0	0
„ 500 - - - -	5	0	0

SCHEDULE (C.)

Bankruptcy Act, 1861.

(In Bankruptcy.)

Warrant of Committal of Bankrupt or other Party for unsatisfactorily answering, or for refusing to sign his Examination.

Court of Bankruptcy.

Whereas *E.F.*, the said [*or G.H.*] of in the County of was on the Day of duly sworn and examined in this Court; and the said was again on the Day of duly sworn and

and examined in this Court, as by the Examination and Deposition of the said now on the File of Proceedings in this Matter will appear:

And whereas the Answers of the said , as now so appearing in said Examination and Deposition, are unsatisfactory [*or* the said refused to sign and subscribe his said Examination and Deposition]:

These are therefore to authorize and require you, immediately upon the Receipt hereof, to take into your Custody the said and him safely convey to Her Majesty's Prison of and him there to deliver to the Governor of the said Prison, who is hereby authorized and required to receive the said into his Custody there, and him safely keep and detain, without Bail, until this Court, or the Court of Appeal in Chancery sitting in Bankruptcy, shall make an Order to the contrary; and for so doing this shall be your sufficient Warrant.

Given under the Seal of the Court, this
Day of 18 .

J.K.,
Judge.

To
and to
Governor of the said Prison, or his Deputy there.

SCHEDULE (D.)

THIS Deed, made the Day of between *A.B.* [*the Debtor*], and *C.D.* and *E.F.* [*the Trustees*], on behalf and with the Assent of the undersigned Creditors of *A.B.*, witnesseth that *A.B.* hereby conveys all his Estate and Effects to *C.D.* and *E.F.* absolutely, to be applied and administered for the Benefit of the Creditors of *A.B.* in like Manner as if *A.B.* had been at the Date hereof duly adjudged bankrupt. In witness, *&c.*

Schedule of Creditors.

SCHEDULE (E.)

The Bankruptcy Act, 1861.

Form of Declaration to be made by the Bankrupt or the Bankrupt's Wife.

I *A.B.*, the Person declared a Bankrupt under a Petition for Adjudication of Bankruptcy filed on the Day of in the Year of our Lord [*or* I *C.D.*, the Wife of *A.B.*, declared a Bankrupt under a Petition for Adjudication of Bankruptcy filed on the Day of], do solemnly promise and declare, That I will make true Answer to all such Questions as may be proposed to

to me respecting all the Property of the said *A.B.*, and all Dealings and Transactions relating thereto, and will make a full and true Disclosure of all that has been done with the said Property, to the best of my Knowledge, Information, and Belief.

(Signed) *A.B.*

[*or C.D.*, the Wife of the said *A.B.*]

SCHEDULE (F.)

The Bankruptcy Act, 1861.

Warrant against any Person disobeying any Rule or Order of Court.

WHEREAS by a Rule [*or* an Order] of this Court, bearing Date the Day of made for enforcing the Purposes and Provisions of the Bankruptcy Act, 1861, [*or if of any other Act hereafter in force relating to the Subject Matters of this Act, or made or entered into by Consent for carrying into effect any of such Purposes or Provisions, alter the Recital accordingly*], it was ordered, that, [*&c. &c. as in the Rule or Order*].

And whereas it is now proved that after the making of the said Rule [*or* Order], that is to say, on this Day of , a Copy of the said Rule [*or* Order] was duly served on the said personally, and the original Rule [*or* Order] at the same Time shown to him, but the said then refused [*or* neglected] to obey the same, and hath not as yet obeyed the said Rule [*or* Order]

These are therefore to will, require, and authorize you immediately upon Receipt hereof to take into your Custody the Body of the said *A.B.* and him safely to convey to Her Majesty's Gaol [*or* Prison] of [*or* called], and him there to deliver to the Keeper of the said Prison, together with this Precept, and the Keeper of the said Prison is hereby required and authorized to receive the said *A.B.* into his Custody, and him safely to keep and detain, without Bail or Mainprise, until this Court, or the Court of Appeal in Chancery sitting in Bankruptcy, shall make Order to the contrary; and for so doing this shall be your sufficient Warrant.

Given under my Hand and the Seal of the Court at the Court of Bankruptcy, London, this Day of in the Year of our Lord One thousand eight hundred and

A.B., (L.S.)
Judge.

To or his Assistant, and to the Keeper of Her Majesty's Prison [*or* Gaol] of [*or* called], or his Deputy there.

SCHEDULE (G.)

ACTS AND PARTS OF ACTS REPEALED.

Date of Act.	Title.	Extent of Repeal.
1 & 2 Vict. c. 110. -	An Act for abolishing Arrest on Mesne Process in Civil Actions, except in certain Cases, for extending the Remedies of Creditors against the Property of Debtors, and for amending the Laws for the Relief of Insolvent Debtors in England.	The whole, except ss. 1 to 22. both inclusive.
5 & 6 Vict. c. 116. -	An Act for the Relief of Insolvent Debtors.	The whole.
7 & 8 Vict. c. 96. -	An Act to amend the Laws of Bankruptcy, Insolvency, and Execution.	Sections 1 to 44, both inclusive, and Sections 49 to 53, both inclusive.
10 & 11 Vict. c. 102.	An Act to abolish the Court of Review in Bankruptcy, and to make Alterations in the Jurisdiction of the Court of Bankruptcy and Court for Relief of Insolvent Debtors.	The whole, except s. 4.
12 & 13 Vict. c. 106.	An Act to amend and consolidate the Laws relating to Bankrupts.	Sections 7, 8, 10, 14, 15, 16, 18, 20, 25, 26, 28, 36, 37, 39, 44, 45, 46, 48, 52, 54, 58, 59, 60, 61, 62, 69, 70, 72, 73, 75, 90, 91, 92, 93, 94, 96, 160, 183, 185, 187, 188, 189, 193, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 209, 211 to 231, both inclusive, Sections 237, 239, 243, 244, 245, 246, 247, 249, 251, 252, 253, 255, 256, 257, 258, 259, 261, 266, 270, 271, 276, and 278, and such other Parts of the said Act as may be inconsistent with this present Act.
15 & 16 Vict. c. 77.	An Act to abolish the Office of Lord Chancellor's Chief Secretary of Bankrupts, and to regulate the Office of Chief Registrar of the Court of Bankruptcy.	Section 10.
17 & 18 Vict. c. 119.	An Act for regulating Appointments to Offices in the Court of Bankruptcy, and for amending the Laws relating to Bankrupts.	Sections 3, 11, 12, 13, 14, 15, 20, 21, 22, 25, 26, 27.

SCHEDULE (H.)

Medical Certificate.

I, the undersigned,
being a (a)
and being in actual Practice as a (b)
hereby certify, that I, on the Day of
at the Gaol of at
in the County of separately from
any other Medical Practitioner, personally examined
a Prisoner for Debt in
the said Gaol, and that the said is a (c)
and a proper Person to be taken
charge of and detained under Care and Treatment,
and that I have formed this Opinion upon the following Grounds, viz.:

1. Facts indicating Insanity observed by myself (d)

. . . . . .

2. Other Facts (if any) indicating Insanity, communicated to me by others (e)

. . . . . .

(Signed) *Name,*
Place of Abode.

Dated this Day of One thousand eight hundred and .

(a) *Set forth the Qualification entitling the Person certifying to practise as a Physician, Surgeon, or Apothecary, ex. gra.*:—Fellow of the Royal College of Physicians in London, Licentiate of the Apothecaries' Company, *or as the Case may be.*

(b) Physician, Surgeon, *or* Apothecary, *as the Case may be.*

(c) Lunatic *or* an Idiot, *or* a Person of unsound Mind.

(d) *Here state the Facts.*

(e) *Here state the Information, and from whom.*

LOCAL ACTS.

[For the full Titles, see Table of Titles at the Commencement of the Volume.]

Cap. i.

"The Edenfield Chapel and Little Bolton Turnpike Trust Continuance Act, 1861."

Recites Act of 3 Victoria, that their present Debt is 18,443*l.*, and that a Continuance of Term is necessary for Payment of Debt.
Repeal of Acts and Saving of Rights and Liabilities, §§ 1 to 8.
Appointment of Trustees, §§ 9 to 11.
Roads to which this Act is applicable, § 12.
Present Tolls to continue for a Time, § 13.
Toll Gates to be continued until removed by Order of the Trustees, § 14.
Power to take Tolls; Tolls, §§ 15 to 25.
Application of Monies, § 26.
Mortgagees to take Possession for Payment of Interest only, § 27.
Trustees not to borrow more Money on Mortgage, § 28.
As to Mode of discharging Debt, § 29.
Sinking Fund may be applied in Payment of Debts, &c., § 30.
Commencement and Term of Act; Provision as to the Discontinuance of Tolls, and Disposition of Property of the Trust, § 33.

Cap. ii.

"Bristol and South Wales Union Railway Act, 1861."

Recites their Act of 1857, incorporating the Company, with Power to raise 300,000*l.* by means of Shares, and 98,000*l.* by borrowing; that they had on the 1st Day of December 1860, received on the Shares issued the Sum of 112,000*l.* or thereabouts, and had expended about 96,100*l.*; that the Amount called for upon each Share of 25*l.*, was on the 1st Day of December 1860, 21*l.* 10*s.*, including the Deposit paid on such Shares; that on a considerable Number of such Shares the Calls have not been paid or have been only partially paid, and the Company may be obliged to forfeit many of such Shares, and other Shares remain in the Possession of the Company, and the probable aggregate Number of Shares, upon which all Calls will be fully paid, will be about 7,000, exclusive of 1,000 Shares which the South Wales Railway Company are authorized to subscribe; that they will require for the Purposes of the Undertaking the

whole of the Money which they are authorized to raise by Shares, and also the whole of the Money which they are authorized to borrow; and that in order to enable the Company to complete the Railways, Piers, and Works, it is expedient that they be authorized to attach a Preference or Priority in Payment of Dividend over the ordinary Shares to such Portion of their Share Capital as may have been forfeited, or may be forfeited, cancelled, or surrendered, or as may remain unissued or in possession of the Company, and that further Powers should be given to the Company with reference to the cancelling, Forfeiture, and Surrender of Shares and their Re-issue, and that the Company should be authorized to issue Debenture Stock in lieu of borrowing; and proposes to extend the Time for Completion of Works.

Incorporation of Part of Companies Clauses Act, §§ 2, 3.

Extending Time for completing Railways and Piers, § 4.

Powers to cease if Railways and Piers not completed, § 5.

Section 27 of Act of 1857 to be unaltered, § 6.

Company may cancel forfeited Shares, §§ 7 to 13.

Power to create Shares in lieu of cancelled, forfeited, &c. Shares, § 14.

A Preference not exceeding 5*l.* per Cent. may be attached to new Shares, § 15.

Limit of Share Capital, § 16.

Preferential Dividends not to carry Arrears beyond One Year, § 17.

Limit of Amount and Number of Calls, § 18.

Qualification, &c. for new Shares, § 19.

Company may cancel unissued new Shares and issue others instead, § 20.

Application of Monies raised under this Act, § 21.

Company may raise the Money raised or authorized to be raised on Mortgage or Bond by the Issue of Debenture Stock, with a Preference not exceeding 5*l.* per Cent., §§ 22 to 32.

Cap. iii.

"City of Dublin Steam Packet Company's (Consolidation of Shares) Act, 1861."

Recites as is recited by their Act of 1860; that they were incorporated by that Act, and authorized to raise for the Purposes therein mentioned an additional Sum of 300,000*l.* by Shares of 50*l.* each, making their total Capital 750,000*l.*; that they had previous to their Act of 1860 issued 2,252 Shares of 100*l.* each, and 4,496 Shares of 50*l.* each, making in all 6,748 Shares of the aggregate Amount of 450,000*l.*; and had, under the Powers of their recited Act of 1860, issued a Portion of the 6,000 Shares of 50*l.* each thereby authorized to be raised.

Consolidates the Shares of the Company into Stock, § 1.

Cap. iv.

"The Wallasey Improvement Act, 1861."

Recites that by "The Wallasey Improvement Act, 1858," the Local Board of Health for the District of Wallasey were empowered to supply the District of Wallasey with Water and Gas, and to raise Money for such Purposes, and also for carrying into effect the Purposes of the said Act with respect to the Acquisition of Ferries, and otherwise in relation thereto; proposes to raise further Monies for carrying the Purposes aforesaid and the Purposes of this Act into effect; that by the said Act the Local Board were empowered, subject to the Restrictions and Conditions therein contained, to acquire the Rights and Interests of the then Lessees William Rushton Coulborn and Edward Warburton Coulborn in the Ferry called Seacombe Ferry, and in other Ferries called Egremont Ferry and New Brighton Ferry; and that in pursuance of the said Act, and of an Award duly made thereunder dated the 30th Day of April 1860, the Local Board have contracted to purchase the Interest of the said William Rushton Coulborn and Edward Warburton Coulborn in the said Three Ferries, for the Price of 60,002*l.*; proposes to acquire the Reversion in the said Ferry called Seacombe Ferry, and in certain Lands and Property held or used in connexion therewith, and to incorporate the Local Board.

Act to be executed by Local Board, § 2.

Power to borrow Monies on Mortgage as hereafter mentioned.

3. In addition to the Monies which the Local Board are empowered to borrow under the Provisions of "The Wallasey Improvement Act, 1858," and "The Public Health Act, 1848," or any Act supplemental thereto or otherwise relating to the Public Health, they may from Time to Time borrow on Mortgage any Sums not exceeding the respective Amounts herein-after mentioned; (that is to say,)

On Mortgage of the Security mentioned and referred to in "The Wallasey Improvement Act, 1858," as the "Wallasey Waterworks Account," and of the Waterworks for the Time being vested in or belonging to the Local Board, any Sum not exceeding 20,000*l.*, which Sum shall be applied, first, in Payment of such Part as the Local Board think fit of the Expenses attending or incident to the obtaining and passing of this Act, and secondly, to the Purposes to which by the said Act the Monies to be borrowed under the Authority of that Act on the above-mentioned Securities are thereby directed to be secondly applied:

On Mortgage of the Security mentioned or referred to in the same Act as the "Wallasey Lighting Account," and of the Gasworks for the Time being vested in or belonging to the Local Board, any Sum not exceeding 10,000*l.*, which Sum shall be applied, first in Payment of such Part as the Local Board think fit of the Expenses attending or incident to the obtaining and passing of this Act, and secondly, to the Purposes to which by the said Act

the

the Monies to be borrowed under the Authority of that Act on the above-mentioned Securities are thereby directed to be secondly applied:

On Mortgage of the Security mentioned or referred to in the same Act as the "Wallasey Ferries Account," and of the Ferries for the Time being belonging to or leased by the Local Board, and the Steam and other Boats, Materials, and Things connected therewith, and also (as a collateral Security) of the General District Rate authorized by "The Public Health Act, 1848," to be made and levied, any Sums not exceeding 50,000*l.*, which Sum shall be applied to the Acquisition under this Act of the Reversion in Seacombe Ferry, and the said Lands and Property held or used in connexion therewith, and to the Improvement of the said Ferry, and of any other Ferries from Time to Time belonging to or leased by the Local Board, and to the several other Purposes to which by "The Wallasey Improvement Act, 1858," Monies coming to the Hands of the Local Board from the "Wallasey Ferries Account" are thereby directed to be applied; but so that of the said Sum of 50,000*l.* the Sum of 30,000*l.* shall not be raised or applied otherwise than for acquiring the Reversion in Seacombe Ferry and the Lands and Property held and used in connexion therewith as aforesaid.

Provisions of Public Health Act, 1848, to apply to Mortgages to be granted under this Act, § 4.

Saving Priority of existing Mortgages and of future Mortgages under Public Health Act, § 5.

Further Power to Local Board for Acquisition of Seacombe Ferry, § 6.

Saving Rights of Messieurs Coulborn, § 7.

Incorporation of Local Board, and Saving of Rights and Liabilities, §§ 8 to 10.

Cap. v.

"Biddenden Turnpike Trust Act, 1861."

Recites 10 Geo. 4. c. 22.; that 2,613*l.* 5*s.* are owing on the Credit of the Tolls; repeals recited Act, and continues the Trust for 21 Years.

Cap. vi.

"The Gainsburgh Bridge to East Retford and to Gringley-on-the-Hill Turnpike Roads Act, 1861."

Repeals an Act for more effectually repairing and improving the Road from the West End of Gainsburgh Bridge to East Retford and to Gringley-on-the-Hill in the County of Nottingham, and continues the Term for 22 Years.

SCHEDULE (Mortgages amounting to 8,833*l.* 6*s.* 8*d.*)

Cap. vii.

"The Preston Corporation Markets Act, 1861."

Recites that the Mayor, Aldermen, and Burgesses of the Borough of Preston are by various Royal Charters, Grants,

Prescriptions, or otherwise, entitled to hold all Markets and Fairs within the Borough of Preston for the Sale of Cattle, Grain, Fish, Fruit, Vegetables, Provisions, Hay, Straw, and all other marketable Commodities, and to demand and take Tolls, Rents, Stallages, and other Payments in respect thereof; that the existing Markets and Fairs are now held partly in Market Houses and Market Places provided by the Corporation and partly in the Streets and Public Thoroughfares of the Borough, to the great Obstruction of the Public and to the Inconvenience of the Passengers through and near the same; that it is expedient that the Corporation be authorized to erect and provide more commodious and convenient Market Houses and Market Places for the Sale of all marketable Commodities, and to hold and provide a Cattle Market, and to hold and regulate all Markets and Fairs within the Borough, and to levy and demand the several Tolls, Rents, Stallages, and other Payments by this Act authorized, and to erect and maintain a Town Hall, an Exchange, Public Offices, and all necessary Buildings in connexion therewith and Approaches thereto; and also to make the new Streets and Improvements of Streets by this Act authorized, and to purchase and acquire Lands for the Purposes of the Markets, Fairs, Town Hall, Exchange, Public Offices, and all necessary Buildings in connexion therewith and Approaches thereto, and for the new Streets and Improvements of Streets by this Act authorized; that the Borough has been formed into a District under "The Public Health Act, 1848," and the Corporation are the Local Board of Health for the Borough; and that it is expedient that the Corporation be authorized to borrow Monies for the above Purposes.

Execution of Act by Corporation, § 3.

Power to appoint Committees, § 4.

Incorporation of Lands Clauses Acts, and of Markets and Fairs Clauses Act, and of Parts of Commissioners Clauses Act, §§ 5 to 7.

Compulsory Power to take Lands for new Streets, Improvements, and Markets,—saving Land of Mr. Myers, §§ 9 to 11.

Period for compulsory Purchase of Lands, *i.e.*, Seven Years for new Streets, &c., and Five Years for other Purposes; but if Mr. Myers' Land is required Notice to be given within 12 Months, § 12.

Power to purchase other Lands by Agreement, § 13.

Lands acquired by Corporation under Act to be Part of their Estates, § 14.

Power to establish Markets, and to enlarge and improve Markets, § 15.

Power to establish and regulate Markets and Fairs, § 16.

Power to erect Town Hall, Exchange, and Offices, § 17.

Power for Corporation to make new Streets and Improvements, § 18.

Power to cross over Tramroad, § 19.

Lateral Deviations, § 20.

Vertical Deviations, § 21.

Power to stop Roads, &c. for Purposes of Act, § 22.
Communications with the Lancaster and Carlisle Railway, §§ 23 to 26.
New and improved Streets to become Highways, and vest in Local Board of Health for the Borough, § 27.
Slaughter-houses, §§ 28 to 31.
Corn Market Tolls, Schedule (A.), § 32.
Butter, Fowl, Pork, and Fish Markets, Schedule (B.), § 33.
Cattle Market and Cattle Fair Tolls, Schedule (C.), § 34.
Covered Provision and Vegetable Market and Carcase Market Tolls, Schedule (D.), § 35.
Hay and Straw Market and Weighing Tolls, Schedule (E.), § 36.
General Tolls for open Markets and for Fairs, Schedule (F.), § 37.
Pig Market, Schedule (G.), § 38.
Slaughter-house Tolls, Schedule (H.), § 39.
Tolls for weighing and measuring, Schedule (I.), § 40.
Tolls vested in Corporation, § 41.
Leases of Markets, Slaughter-houses, Tolls, &c., and Assignment of Leases, § 42.
Receipt of Tolls by Officers, § 43.
Power to borrow 48,500*l.* for Markets and Slaughter-houses; 25,000*l.* for Town Hall, Exchange, and Offices; and 26,000*l.* for Streets, § 44.
Sinking Fund, § 45.
Priority of existing Mortgages on Borough Fund, § 46.
Expenditure of Corporation under this Act, § 49.
Income of Corporation under Act to be paid to Credit of Borough Fund, § 50.
Corporation Markets Account, § 51.
London and North-western and Lancashire and Yorkshire Railway Companies to be rated in manner prescribed by the Public Health and Local Government Acts as to such Works as might have been executed under the Provisions of those Acts, &c., § 56.
Saving Rights, § 57.

Cap. viii.

"The Inverness and Aberdeen Junction Railway Act, 1861."

Recites that "The Inverness and Nairn Railway Company," herein-after called "The Nairn Company," was incorporated by an Act passed in the 17th and 18th Years of Queen Victoria; that by their Act of 1857 further Powers were conferred upon them, that "The Inverness and Aberdeen Junction Railway Company," was incorporated by an Act passed in the 19th and 20th Years of the Reign of Her present Majesty; that further Powers were conferred upon them by their Act of 1860; that the Undertaking of the Nairn Company has been for some Time worked by the Junction Company, under an Agreement between the Companies, in pursuance of Powers to that Effect conferred by the said last-

recited Act; that the said Two Undertakings may be more conveniently and economically, and with more Advantage to the Public, worked together as One Undertaking than separately; and it is expedient that they should be united and placed under One Control and Management as One Undertaking, and that the said Two Companies should be amalgamated into One Company; that they have provisionally agreed upon certain Terms and Conditions for such Amalgamation, and for the Application and Apportionment of the Revenues of the united Undertaking to and between the several Classes of Shareholders in the said Undertakings respectively; and it is expedient that such Amalgamation should be sanctioned and carried into effect, subject to the Provisions and Conditions herein-after contained; that the Share Capital of the Nairn Company is 105,000*l.*, divided into 10,500 Shares of 10*l.* each, and the Company have created and issued 5,908 ordinary Shares, and 4,500 Shares, with an irredeemable Preference in the Payment of Dividend attached thereto of 5*l.* per Centum per Annum; that they have Power to raise, and have raised, 24,900*l.* upon Mortgage of their Undertaking; but they have purchased in Fee Simple Lands originally held by them in Feu to the Value of 10,000*l.*, and it is expedient that the Powers of the said Company to borrow to that Extent on Mortgage of their Undertaking should be restored and vested in the united Company; that the Share Capital of the Junction Company is 475,000*l.*, divided into 47,500 Shares of 10*l.* each, whereof 32,500 are ordinary Shares; and the Company have also, under the Powers to that Effect in their Act of 1860 contained, created 15,000 Shares, with an irredeemable Preference in the Payment of Dividend attached thereto of 4*l.* 10*s.* per Centum per Annum; that they have Power to raise 158,298*l.* upon Mortgage of their Undertaking, and have raised upon such Mortgage 133,770*l.*; that by "The Inverness and Ross-shire Railway Act, 1860," the Nairn Company were authorized to subscribe 10,000*l.*, and the Junction Company were authorized to subscribe 15,000*l.* to the Undertaking by the said Act authorized, and the said Companies have agreed to subscribe and now hold Shares in the said Undertaking to the Extent so authorized as aforesaid; that it is expedient that Provision should be made for cancelling all or any of the Shares of the said Junction Company which have been created but not issued, and for creating in lieu thereof and issuing new Shares, with such Preference or Priority in Payment of Interest or Dividend attached thereto as is herein-after provided.

Undertaking defined, § 3.

Nairn Company dissolved, and Undertaking vested in Junction Company, §§ 4, 5.

Saving of Rights and Liabilities, §§ 6 to 22.

Defining Share Capital of the Company.

23. The Capital of the Company in Shares shall, subject to the Powers in "The Companies Clauses Consolidation (Scotland) Act, 1845," and the recited Acts contained, with respect

respect to the Conversion of borrowed Money into Capital, be 605,000*l.*

Division of Capital into Shares as herein stated.

24. The said Capital of 605,000*l.* shall, subject to the Provisions herein-after contained, be divided into Shares of the respective Amounts following:—

1. Four thousand five hundred Shares, of 10*l.* each, to be called "Class A. Shares," which Shares shall represent and be in lieu of the existing 4,500 Preference Shares of the Nairn Company:
2. Five thousand nine hundred and eight Shares, of 10*l.* each, to be called "Class B. Shares," which Shares shall represent and be in lieu of the existing 5,908 ordinary Shares of the said Nairn Company:
3. Fifteen thousand Shares, of 10*l.* each, to be called "Class C. Shares," which Shares shall represent and be in lieu of the existing 15,000 Preference Shares of the said Junction Company:
4. Thirty-five thousand and ninety-two Shares, of 10*l.* each, being the remaining Shares of the Company, and which remaining Shares comprise 32,500 ordinary Shares of the Junction Company; 1,500 Shares which the said Company are authorized by the said recited Acts relating to that Company to create and issue, but which they have not created and issued; and 1,092 Shares which the Nairn Company are authorized by the said recited Acts relating to that Company, but which they have not created and issued; and, in addition thereto, any Shares which either of the said Companies is or may be authorized to create and issue by any Act or Acts passed or which may be passed in the present Session of Parliament: Provided always, that the Company shall be entitled to attach to any of the said Shares which have not been already created and issued, but subject always to any Rights of Preference or Priority existing in virtue of the said recited Acts, or any of them, or of this Act, such Preference or Priority in Payment of Interest or Dividends as may be authorized by any of the said recited Acts, or by this Act.

Defining Loan Capital of the Company.

25. The united Loan Capital of the Company shall consist of the Sum of 193,330*l.*, and, in addition thereto, of any Capital which by any Act or Acts passed, or which may be passed, in the present Session of Parliament, either of the said Companies is or may be authorized to raise by borrowing, or by the Creation of Debenture Stock: Provided always, that such Loan Capital shall, in the event of either of the said Companies or of the Company purchasing or having purchased Land in consideration of an annual Feu Duty or Ground Annual, under the Powers of any of the said recited Acts, be diminished in respect of the Land so purchased by an Amount equal to Twenty Years Purchase of the said Feu Duty or Ground Annual: Provided also, that if the said Companies or the Company shall hereafter purchase, or shall have, at the Time of the passing of this Act, purchased in Fee Simple the Lands

Lands originally held by them in Feu, or any of them, then it shall be lawful for them to borrow in respect of the Lands so purchased a Sum equal to Twenty Years Purchase of the Feu Duties formerly payable for the Lands so purchased, but always so as that the Company shall not at any Time borrow to an Extent exceeding One Third of the Amount of the Share Capital bonâ fide subscribed for at the Time, and that the Sums to be borrowed by them in the whole shall not exceed the said Sum of 193,330*l.*: And provided also, that the Company shall, in respect of the said Loan Capital, possess all the Powers and be subject to all the Conditions contained in "The Inverness and Aberdeen Junction Railway Act, 1860," with regard to the Conversion of such Loan Capital into Debenture Stock.

Powers of existing Companies to raise further Share and Loan Capital vested in united Company.

26. All the Powers of the Nairn Company and of the Junction Company respectively, as to the raising of Capital, whether by the Creation and Issue of Shares or Stock, or by borrowing, which at the passing of this Act are subsisting and not then exercised or not fully exercised, or which may be conferred on either of the said Companies by any other Act or Acts passed or which may be passed in the present Session of Parliament, shall, to the Extent of the united Capital in Stock and Shares, and of the united Loan Capital as herein-before declared and defined, and no further, continue in force; and, except as otherwise herein expressly provided, may be exercised by the Company in like Manner and to the same Extent as they might have been exercised by the said Companies respectively.

Shareholders in Nairn Company to be Shareholders in united Company.

27. Upon the passing of this Act the several Persons and Corporations who are then Proprietors of Shares, whether preferential or ordinary, of and in the Capital of the Nairn Company, shall respectively become Proprietors of Shares or Stock of and in the Capital of the Company of the like Denomination and Amounts; and as respects the Proprietors of preferential Shares or Stock, with the like Qualities, Privileges, and Incidents as were annexed or incident to such Shares or Stock in the Capital of the said Nairn Company, but with and subject to the Priorities herein-after declared; and as respects the Holders of ordinary Shares in the said Nairn Company, with such Qualities, Rights, Privileges, and Priorities respectively as are herein-after declared in relation to such ordinary Shares.

Preferential Dividend to be paid on Class A and B Shares.

28. From and after the passing of this Act there shall be payable and paid, half-yearly and in perpetuity, out of the Profits of the Company, and after Payment of the Interest on the Mortgage Debt of the Company, or the Dividend on any Debenture Stock which may be created in lieu thereof, as the Case may be, to the several Proprietors of the "Class A. Shares," a fixed preferential Dividend at the Rate of 5*l.* per Centum per Annum; and there shall in like Manner be payable and paid, half-yearly and in perpetuity, out of the said Profits, and after Payment as aforesaid, to the several Proprietors of the "Class B. Shares," a preferential Dividend of 6*l.* per Centum per Annum, but subject to Increase in the event

event herein-after provided, and such preferential Dividend shall rank next after the Dividend on the "Class A. Shares," and before the Dividends on any of the other Shares of the Company; and the first of such Payments shall accrue in respect of the Half Year ending on the 31st Day of August next after the passing of this Act.

Preferential Dividend to be paid on Class C Shares.

29. From and after the passing of this Act there shall be payable and paid, out of the Profits of the Company, to the several Proprietors of the "Class C. Shares," a fixed preferential Dividend, at the Rate of 4*l.* 10*s.* per Centum per Annum, and such preferential Dividend shall rank next after those herein-before declared in favour of the "Class A. Shares" and the "Class B. Shares"; and the first of such Payments shall accrue in respect of the Half Year ending on the 31st Day of August next after the passing of this Act.

Dividends on Company's Ordinary Shares.

30. Subject to the preferential Rights already existing or hereby declared or conferred, the Proprietors of the ordinary Stock and Shares of the Company shall be entitled to Dividends out of the available Profits of the Company as herein-after limited, pari passu, according to their respective Holdings: Provided, that if in any Half Year the Sum available for Dividend upon the said ordinary Stock or Shares shall be sufficient to pay a Dividend to the Holders of such Stock or Shares at a Rate exceeding 6*l.* per Centum per Annum, the Proprietors of the "Class B. Shares" shall, in respect of such Half Year, be entitled, in addition to the preferential Dividend at the Rate of 6 per Centum per Annum herein-before provided to them, to a proportional Share, with the Proprietors of such ordinary Stock or Shares, of such Excess, after Payment to the Proprietors of such last-mentioned Stock or Shares of a Dividend at the Rate of 6*l.* per Centum per Annum; and, in declaring such Excess, regard shall be had to the Right of the Proprietors of the said "Class B. Shares" to participate therein accordingly.

Certificates on Stock in separate Companies to be exchanged for Certificates of Stock in united Company, § 31.
Shares to remain subject to same Trusts, § 32.
Power to cancel Shares, § 33.
As to cancelling of forfeited Shares by Consent, § 34.
New Shares may be created in lieu of Shares merged or not issued, § 35.

New Shares how to be created.

36. Any new Shares to be created in lieu of any Shares so cancelled as aforesaid may, subject to the Provisions herein-after contained, be of such Amount as the Company, with the Approbation of Three Fifths at least of the Votes of the Shareholders present, in Person or by Proxy, at any Meeting of the Company, specially convened with due Notice of that Object, shall determine; and it shall be lawful for the Company to issue such Shares to such Persons, at such Times and in such Manner, and with such special Advantages with respect to Priority or Amount of Dividend payable thereon (such Dividend not exceeding the Rate of 5*l.* per Centum per Annum), and to demand such Price for the said Shares, or to dispose thereof in

in such Manner and on such Terms as by the Order of any such Meeting shall be fixed and determined; and all such new Shares shall be deemed Personal Estate, and shall be transmissible and transferable as such, in the Manner provided and directed by "The Companies Clauses Consolidation (Scotland) Act, 1845;" and all Persons and Corporations who shall become entitled to any such new Share or Shares, and their several and respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby declared to be Owners and Proprietors of Shares in the Undertaking, and to be interested therein and entitled to Dividends and Profits, and to vote in respect thereof, in proportion to the Amount of such new Share or Shares; and the Directors of the Company are hereby empowered (subject to any Restrictions imposed upon them by the Company, and subject also as hereinafter mentioned) to call up such Shares, by such Instalments, and payable at such Times, as they may think fit; and the several Proprietors of such new Shares shall be and are hereby united and incorporated with the Company.

Preferential Shares not to carry Arrears.

37. Subject to the special Provisions herein-after contained with reference to the Class A. Shares, Class B. Shares, and Class C. Shares, the new Shares created under the Powers of any of the recited Acts or of this Act shall be entitled to the preferential Dividend, if any, which may be attached to them by the Company out of the Profits of each Year, in Priority to the ordinary Shares and Stock in the Company; but if in any Year ending the 31st Day of August there shall not be Profits available for the Payment of the full Amount of such preferential Dividend for that Year, the Deficiency shall not be made good out of the Profits of any subsequent Year, or out of any other Funds of the Company, and such Condition shall be expressed upon the Face of the Certificates of the said Shares.

Saving existing Preference Shares, § 38.

Mortgages and Bonds of separate Companies to be a Charge on united Undertaking, § 40.

Creation and Issue of Debenture Stock to be regulated by Junction Act of 1860.

41. The Provisions and Enactments contained in "The Inverness and Aberdeen Junction Railway Act, 1860," as to the Creation and Issue of Debenture Stock, shall extend and be applicable to, and may be carried into effect in respect of, all Monies owing by the Nairn Company and Junction Company respectively, or which may hereafter be owing by the Company, on Mortgage or Bond; and the said Provisions and Enactments shall extend and be applicable to all Debenture Stock which may be created by the Company; and for these Purposes such Enactments shall be read and construed as if the Name of the Inverness and Aberdeen Junction Railway Company were inserted therein as the Company to which such Enactments apply.

Appropriation of Profits, and ranking of Parties entitled to participate therein.

42. The net Revenues and Profits of the Company, after Payment of all Costs of Maintenance, Working, and Management, and of all Feu Duties, for the Half Year ending on the 31st Day of August 1861, and the like net Revenues and Profits

Profits of the Company for each successive Half Year thereafter, shall be appropriated in the following Order of Priority :—

1. In Payment, pari passu, of the Interest for the Time being on the united Loan Capital of the Company secured on Mortgage or Bond; or of the Interest or fixed Dividends, as the Case may be, upon the Debenture Stock of the Company :
2. In Payment to the several Proprietors of the Class A. Shares, Class B. Shares, and Class C. Shares, of the fixed or preferential Dividends payable thereon under the Provisions of this Act, such preferential Shares ranking and being entitled to Priority inter se, according to the Order herein-before expressed :
3. In Payment to the several Proprietors of preferential Shares or Stock, which may hereafter be created and issued by the Company under the Powers of any existing Act, or of any Act or Acts which may be passed in the present Session of Parliament, of the preferential Interest or Dividends attached to such Shares or Stock respectively, such preferential Shares or Stock ranking and being entitled to Priority inter se, according to the Order of Date of Creation :
4. In Payment to the Proprietors of the ordinary Shares and Stock of the Company of the Dividends from Time to Time declared upon the same respectively, and to the Proprietors of the Class B. Shares of the contingent further Dividend herein-before specified.

Number and Qualification of Directors, §§ 44 to 46.
Meetings, § 47.
Tolls, § 49.

Cap. ix.

"The Blackpool and Lytham Railway Act, 1861."

Incorporation of General Acts, § 2.
Company incorporated with a Capital of 45,000*l.*, and Power to borrow 15,000*l.*, §§ 3 to 10.
Meetings; Directors, §§ 11 to 18.
Power to make Railway, §§ 19, 20.
Not more than Three Fourths of an Acre of Land to be taken in the Inclosure numbered on the Plans 27, in the Parish of Bispham, § 21.
Three Years for compulsory Purchase of Lands, § 22.
Five Years for Completion of Works, §§ 23 to 25.
Tolls, §§ 26 to 33.

Cap. x.

"Brecon and Merthyr Railway (Capital) Act, 1861."

Recites Incorporation of Company by the "Brecon and Merthyr Junction Railway Act, 1859," with a Capital of 80,000*l.*, in 8,000 Shares of 10*l.* each, and with Power to borrow 26,600*l.*; that by the "Brecon and Merthyr Railway (Extensions) Act, 1860," the Company were empowered to relinquish the Construction of Part of the authorized Main

Line, and to construct other Railways in Extension of the authorized Main Line, for the Purpose of completing the Communication with Brecon, and to raise 50,000*l.* by the Creation and Issue of ordinary Shares, and 16,600*l.* by borrowing on Mortgage; that they are not authorized to grant any Preference or Priority in Payment of Interest or Dividend on any Shares or Stock; that the Railway of the Company as authorized was intended to consist of a Single Line of Way, with Works adapted for Local Traffic only; but since the passing of the said first-recited Act the Line has, by reason of the Junction therewith of the authorized Extension Line of the Mid-Wales Railway, become Part of a Through Line of Communication between North Wales and the Mineral Districts of Merthyr and Dowlais, and it has become expedient and would be of public Advantage that the Works upon the Line authorized by the firstly-recited Act, and upon a Part of the Line authorized by the secondly-recited Act, should be constructed with Works adapted for such Through Traffic as well as for Local Traffic, and that the Company should be empowered to raise additional Money for that Purpose, and also for the Purpose of acquiring Land for a double Line of Railway, and for the Construction of certain Works for the Purposes of such double Line, and also for the Purpose of providing the requisite Rolling Stock.

Power to raise 63,000*l.* by new Shares, with a Preference not exceeding 5*l.* per Cent., §§ 2 to 6.

Power to borrow 21,000*l.*, §§ 7 to 10.

Cap. xi.

"The Dublin, Wicklow, and Wexford Railway Act, 1861."

Recites the several Acts relating to the Company, and especially the Act of 1860, changing its Name; that Doubts have arisen with respect to the proper Qualification of the Directors of the Company; proposes to make a Deviation in the Line of Railway authorized by the Act of 1860; that Joseph Fishbourne, the Arbitrator to whom the Question of Compensation, payable in respect of Lands to be taken by the Company for the Formation of the Railway hereby authorized to be abandoned, was submitted under the Provisions of the Railways Acts (Ireland), 1851 and 1860, made his Draft Award with respect to, among others, certain Lands in the Townlands of Ticlash, Rockstown Lower, and Ballytrasna, and thereby awarded the Sum of 1,037*l.* 2*s.* 1*d.* for the Purchase of all Interests in the Portions of the said Lands which would, under the Provisions of "The Dublin and Wicklow Railway (Gorey Extension) Act, 1859," have been required for the Formation of the Line thereby authorized, and in respect of Injury to other Lands in the Townland of Meetings; and the said Sum of 1,037*l.* 2*s.* 1*d.*, and a further Sum of 168*l.* 8*s.* 8*d.*, amounting together to the Sum of 1,205*l.* 10*s.* 9*d.*, have, in pursuance of the Provisions of

the Second Section of the Railways Act (Ireland), 1860, been deposited by the Company in the Bank of Ireland; but the Company have not had Possession of the said Lands, and do not require the same, and it is expedient that the Company should be authorized to receive back the said Sum of 1,205*l.* 10*s.* 9*d.* so deposited, or so much thereof as may be apportioned, ascertained, and determined as herein-after mentioned; that the Arbitrator made his final Award in such Behalf as aforesaid on the 10th Day of November 1860, and it is expedient that the same should be annulled so far as it relates to the said Lands in the Townlands of Ticlash, Rockstown Lower, and Ballytrasna.

Incorporation of General Acts, §§ 2, 3.

Power to abandon Part of Railway authorized by Act of 1860, and Compensation, §§ 4, 5.

Sum awarded and deposited in respect of Land on abandoned Line to be repaid, and Award annulled.

6. At any Time after the passing of this Act the said Sum of 1,205*l.* 10*s.* 9*d.* so deposited as aforesaid, or so much thereof as shall, in case of Dispute, be apportioned, ascertained, and determined by the said Joseph Fishbourne, as such Arbitrator as aforesaid, in respect of the said Lands which the Company do not require as aforesaid, or the Funds in which the same respectively shall have been invested, together with any Accumulation thereof, shall, on the Application by Petition of the Company to the Court of Chancery in Ireland, be repaid or transferred to the Company; and the said Award of the said Joseph Fishbourne, made on the 10th Day of November 1860, and all Proceedings had thereunder or in relation thereto, shall be and the same are hereby annulled so far as they relate to the said Lands in the Townlands of Ticlash, Rockstown Lower, and Ballytrasna.

Power to make Deviation Line, § 7.

Inclination of a certain Road.

8. In carrying the Road numbered 31 on the Plans deposited for the Purposes of this Act, in the Townland of Tinnahinch in the Parish of Castlemacadam, over the Railway, it shall be lawful to make the Inclination of such Road when altered as steep but not steeper than One Foot in Thirteen Feet: Provided always, that if the County shall at any Time alter the present or construct a new Bridge over the River Avoca, in such Manner as to admit of a Gradient of 1 in 20, the Company shall contribute 200*l.* towards the Cost of such Alteration or Construction, and make the Gradient of the Road leading therefrom to the Bridge over the Railway not steeper than 1 in 20.

Proviso in case County shall alter, &c. Bridge over the River Avoca.

Two Years for compulsory Purchase of Land, § 10.

Four Years for Completion of Works, § 11.

Qualification of Directors.

15. The Qualification of a Director elected by the Shareholders shall be the Possession in his own Right of original ordinary Shares or Stock in the Capital of the Company to the nominal Amount of 2,000*l.*

Cap. xii.

"The South-eastern Railway (Capital Arrangements) Act, 1861."

Recites the several Acts relating to the Company; that their Consolidated Stock and Share Capital consists as follows;

(namely,) Consolidated Stock, 7,433,700*l.*, Preference Shares, 1,284,300*l.*, Debenture Stock, 57,310*l.*; that their Mortgage or Bond Debt amounts to 2,709,797*l.*, and that they have unexercised Powers of borrowing to the Extent of 34,268*l.* only; that they require further Sums for Purposes by the South-eastern Acts authorized; that the Company were by "The Charing Cross Railway Act, 1859," authorized to subscribe the Sum of 300,000*l.* to the Undertaking of the Charing Cross Railway Company; that they have subscribed that Amount to the said Undertaking, and it is expedient that they should be authorized to increase their Subscription as herein-after mentioned.

Power to raise additional Capital by new Shares.

3. The Company from Time to Time, with the Consent of an Extraordinary General Meeting, may create and issue additional Capital, not exceeding in the whole the Sum of 672,000*l.*, in Shares of such Amount as they may deem expedient; and any such new Shares may be either of One Class or of several Classes, and of such Amount as will allow the same to be conveniently apportioned or disposed of according to the Resolutions of such Extraordinary General Meeting as aforesaid: Provided always, that 350,000*l.*, Parcel of the said Sum of 672,000*l.*, shall not be raised by the Company unless they shall subscribe, under the Authority of this Act, to a further Extent to the Undertaking of the Charing Cross Railway Company; and so much only of that Sum of 350,000*l.* shall be raised by the Company as shall be required for such additional Subscription.

Power to issue Shares with or without a Preference not exceeding 5*l.* per Cent., §§ 4 to 8.

Power to borrow on Mortgage in lieu of raising Money by Shares.

9. It shall be lawful for the Company, if they shall deem it to be more expedient so to do, to borrow from Time to Time on Mortgage, in addition to the Sums which the Company have been already authorized to borrow, a Sum not exceeding 80,500*l.* in the whole: Provided that all Monies which may be so borrowed shall, pro tanto, be in lieu of and not in addition to the Share Capital which by this Act they are authorized to create and issue: Provided also, that until Shares to the Extent of 241,500*l.* of the Money by this Act authorized to be raised for Purposes other than the further Subscription to the Undertaking of the Charing Cross Railway Company shall, under the Authority of this Act, have been subscribed for, and One Half thereof shall have been actually paid up, and the Company shall have proved to the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the said Sum of 241,500*l.* has been subscribed for bonâ fide, and is held by Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable, the Company shall not borrow any Sum under the Provisions of this Act. Saving Priority of former Mortgages, § 10.

Power to subscribe a further Sum to the

14. The Company from Time to Time may subscribe for or take and hold Shares in the Capital of the Charing Cross Railway Company to an Extent not exceeding 350,000*l.* in addition

addition to the Sum of 300,000*l.* which the Company have subscribed to that Undertaking under the Authority of "The Charing Cross Railway Act, 1859," and any additional Shares in the Charing Cross Railway Company acquired by the Company under the Authority of this Act shall confer the same Rights of voting and other Rights and Privileges as if the same had been acquired under the Authority of "The Charing Cross Railway Act, 1859." Charing Cross Railway.

Sanction of Shareholders to additional Subscriptions, § 15.

Cap. xiii.

"The Shrewsbury and Welchpool Railway Act, 1861."

Recites their Acts of 1856, 1858, and 1860; proposes to purchase and acquire Lands adjoining their Branch Railway to Minsterley, so as to adapt the same for a Double Line of Railway; and to carry their Main Line of Railway across a public Road in the Parish of Alberbury; and to raise further Sums of Money.

Incorporation of General Acts, §§ 1, 3.

Power to take Lands, §§ 4, 5.

Span of Arch for carrying Railway over Road, § 6.

Power to cross certain Roads on the Level, §§ 7 to 10.

Two Years for compulsory Purchase, § 11.

Power to raise a further Sum not exceeding 12,000*l.*, § 12.

Power to borrow 4,000*l.*, § 13.

Companies Clauses Consolidation Act to apply to such Shares and Mortgages, § 14.

Cap. xiv.

"The Clifton and Durdham Downs (Bristol) Act, 1861."

Recites that there are in the immediate Neighbourhood of the City of Bristol Two Downs or Commons contiguous to one another and undivided, one of which Downs is entirely within the City and County of Bristol, and contains about 230 Acres, and is called Clifton Down; and the other of the said Downs is partly within the same City and County and partly in the County of Gloucester, and contains about 212 Acres, and is called Durdham Down; and both the same Downs have from Time immemorial been open and largely resorted to as Places of Recreation for the Inhabitants of Bristol and its Neighbourhood, and it is expedient that they should be so maintained; that the Master, Wardens, and Commonalty of the Society of Merchant Venturers of the City of Bristol (who are herein called the Society) are, or claim to be, Lords of the Manor of Clifton in the said City and County of Bristol, and to be entitled to the Fee Simple and Inheritance of the Common and Waste Lands within the said Manor, subject only to such commonable and other Rights, Roads, Ways, and Easements as belong to the Freeholders of the said Manor of Clifton and others, in, over, and upon the said Common and Waste Lands; that the Society have agreed with the Mayor, Aldermen, and Burgesses of

the City of Bristol, herein-after called the Corporation, that when the Corporation shall have acquired Durdham Down in pursuance of the Provisions of this Act, such Parts of the Common and Waste Lands of the said Manor of Clifton as are coloured Pink in the Plan hereafter referred to shall be regulated and governed by the Rules and Byelaws herein-after provided for, and shall for ever thereafter be kept open and uninclosed as a Place of Public Resort for the Citizens and Inhabitants of Bristol, subject however to the commonable and other Rights (if any) of the Freeholders of the said Manor and others, in, over, and upon the same Lands, and to the Provisions herein-after contained; and the Society have further agreed that the Workings of the present and all future Quarries on the Parts of Clifton Down coloured Yellow on the said Plan shall be subject to the Rules and Byelaws herein-after provided for; that Sir John Henry Greville Smyth of Ashton Court in the County of Somerset, Baronet (as to Three undivided Fourth Parts), and Marianne Colston of Roundway Park in the County of Wilts, Widow, and the Reverend Richard Symes, Clerk, and Charles Edward Murray, Esquire, her Trustees (as to the remaining Fourth Part), are or claim to be Lords of the Manor and Hundred of Henbury, partly in the County of Gloucester and partly in the said City and County of Bristol, and to be entitled to dispose of the Fee Simple and Inheritance of the Common and Waste Lands (whereof Durdham Down forms Part) within the said Manor and Hundred of Henbury, subject to such commonable and other Rights, Roads, Ways, and Easements therein as belong to the Freeholders of the said Manor and Hundred and others; and by a Contract dated the 2d Day of August 1860, and made between the said Sir John Henry Greville Smyth of the First Part, the said Richard Symes and Charles Edward Murray of the Second Part, the said Marianne Colston of the Third Part, and the said Mayor, Aldermen, and Burgesses of the Fourth Part, the said Sir John Henry Greville Smyth as to Three equal undivided Fourth Parts, and the said Richard Symes and Charles Edward Murray, with the Consent of the said Marianne Colston (testified by her being a Party to and executing the Contract now in recital) as to the remaining equal undivided Fourth Part, agreed to sell, and the said Mayor, Aldermen, and Burgesses agreed to purchase, for the Sum of 15,000*l.*, the Fee Simple of all that Part situate partly in the City and County of Bristol, and partly in the County of Gloucester, which was delineated in the Plan annexed to the Contract now in recital, and was therein coloured Green, of the Waste or Common of the Manor and Hundred of Henbury in the County of Gloucester, called Durdham Down, and of the Quarries and Roads and Ways shown on the same Plan as situate or lying within the Limits of the said Part so coloured Green on the said Plan of the said Common; and all the Estate and Interest (if any) of them the said Sir John Henry Greville Smyth, Richard Symes, and Charles Edward Murray, of and in so much of

the said Waste or Common as was coloured Blue in the said Plan, subject to all Rights of Common of every Kind over the said Common of the Freeholders of the said Manor and Hundred, and to all public and private Rights of Way over the said Roads and Ways respectively, and to all Rights and Interests (if any) of any Person or Persons claiming under or through the said Vendors in or to the said Quarries respectively, and to all other Rights of Common, Way, and Water, and other Easements (if any), whatever the same might be, subsisting upon, in, or over the said Part thereby agreed to be sold and purchased as aforesaid of the said Common; but the Title of the Vendors to the Black Rock Quarry, or some Part thereof, or the adjacent Land being disputed by a Person claiming by adverse Possession the Limit or Boundary on the Side of the said Black Rock Quarry, of the said Land thereby agreed to be sold and purchased, was to be determined by and at the Risk and Expense of the said Mayor, Aldermen, and Burgesses, and no Abatement of Purchase Money or Compensation was to be made either in respect thereof or of any Inaccuracy or Mistake in the said Plan in any other Part or Particular; and by the Contract now in recital it was (amongst other Things) further provided that the Purchasers should, at their own Expense, before the 24th Day of December 1861, obtain or use their best Endeavour to obtain an Act of Parliament in Terms to be approved of by the Vendors, to enable them to purchase and hold the said Land thereby agreed to be sold and purchased, and to render it imperative on them for ever to keep the whole of the said purchased Land uninclosed and as a Place of Public Resort and Recreation, subject only to such Rules, Orders, Byelaws, Conditions, and Restrictions as might from Time to Time be deemed expedient, and might be made by the said Mayor, Aldermen, and Burgesses for the Improvement and Preservation of the said Land and for best ensuring the Public Use and Enjoyment thereof; that Plans of the said Downs have been deposited with the Clerks of the Peace for Gloucestershire and for the City and County of Bristol respectively, on which Plans Clifton Down is coloured Pink and Yellow, and so much of Durdham Down as forms the Subject of the said Contract is coloured Green and Blue; and Books of Reference containing the Names of the Lords of the said Manors, and of the Commoners thereof, (so far as they can be ascertained,) and of the Owners, Lessees, and Occupiers of Property in the said Downs as so coloured have been deposited with the said Plans; that such Part of Durdham Down as is coloured Blue in the said Plan is also claimed by the Society as being Part of the Manor of Clifton; that it is expedient that the aforesaid Agreement with the Society as respects Clifton Down should be carried into effect, and that the Corporation should be authorized to fulfil their Contract for the Purchase of Durdham Down, and should be enabled, with the Consent of the Commoners or others interested therein, to purchase or to regulate the Exercise of all commonable Rights or

other Rights which may interfere with the Enjoyment of either of the said Downs by the Public; and that the Corporation and Society should participate in the Management of both the said Downs; and that such Part of Durdham Down as is now situated within the County of Gloucester should be henceforth deemed, for the Purposes of Police, to be within the City and County of Bristol, and should be subject to the Jurisdiction of the Justices of the Peace for the same City and County.

As to Clifton Down, § 1.
Corporation may buy Durdham Down, § 2.
As to quarrying, § 3.
As to Purchase and Regulation of commonable Rights, &c., § 4.
Council to make Byelaws, § 5.
Authenticated Byelaws to be Evidence, § 6.
Transient Offenders, § 7.
Recovery of Penalties, § 8.
Appointment of a Committee, § 10.
Functions of Downs Committee; Roads; Nuisances; Improvement; Quarries; Road Trustees, &c.; closing and opening Surface Quarries; Officers, &c.; Funds; Minute Books; Report of Proceedings, § 11.
Saving Rights of the Society, § 12.
Durdham Down to be considered within City of Bristol, § 13.
As to Deposit of Plans, § 14.
Expense of Act, § 15.
Power to borrow Money, § 16.
Provision for Payment of the Interest on Mortgages, and of a Portion of the Principal in each Year, § 17.
Provision made for paying Money borrowed within 30 Years, § 18.
Power to raise Money to pay off Sums borrowed, § 20.
Schedule.—(Form of Mortgage.)

Cap. xv.

"The Exeter and Exmouth Railway Act, 1861."

Recites their Act of 1855, incorporating the Company, with Power to raise 70,000*l.* by Shares, and 23,000*l.* by borrowing on Mortgage or Bond; that by their Act of 1858 the Provisions of the last-recited Act were repealed, and the Railways thereby authorized were altered, and the Share Capital reduced to 50,000*l.*, and the Borrowing Powers to 16,600*l.*, and Provision was made for the Working and User by the London and South-western Railway Company of the Railways thereby authorized; that those Works are in course of Construction; that the Capital authorized to be raised by that Act is insufficient for the Completion of the Railways and Works authorized thereby, and it is expedient that the Company should be authorized to raise further Capital by the Issue of ordinary or preferential Shares.
Forfeited Shares which cannot be sold may be cancelled, §§ 2 to 5.

Company may create new Shares in lieu of Shares cancelled, § 6.
Application of existing Capital, § 7.
Power to create new Shares to the Amount of 30,000*l.* with a preferential Dividend not exceeding 5*l.* per Cent., §§ 8 to 16.
Incorporating certain Provisions of Companies Clauses Consolidation Act, § 17.

Cap. xvi.

"The Strathspey Railway Act, 1861."

Recites that by "The Keith and Dufftown Railway Act, 1857," and "The Keith and Dufftown Railway (Deviation) Act, 1860," a Railway is authorized to be made from the Great North of Scotland Railway at Keith to Dufftown, and that the making of Railways, by means whereof the said Keith and Dufftown Railway would be extended to or near to Grantown and to Abernethy, and to the proposed Inverness and Perth Junction Railway, would be attended with great local and public Advantage.
Incorporation of General Acts, §§ 1, 2.
Company incorporated, with a Capital of 270,000*l.* in 10*l.* Shares, and Power to borrow 90,000*l.*, §§ 3 to 6.
Power for the Keith and Dufftown Railway Company to subscribe 25,000*l.*, and the Great North of Scotland Railway Company to subscribe 100,000*l.* by ordinary Shares, and to vote, §§ 7 to 11.

Guarantees of Company's Mortgage Debt, and Interest thereon.

12. The Great North of Scotland Railway Company, with the Sanction of Three Fifths of the Votes of their Shareholders present, personally or by Proxy, at any Meeting convened with Notice of this Object, may from Time to Time exercise the following Powers; that is to say,

They may guarantee and secure to any Persons lending to the Company the Money or any Portion of the Money which that Company is hereby authorized to borrow on Mortgage; the Repayment of any Money so lent, or any Part thereof, with or without the Interest thereon, or any Part thereof; or the Payment of such Interest alone, or any Part thereof; or the Payment for any specified Period of such Interest, or any Part thereof:

They may from Time to Time, out of their Income applicable to Dividend on their ordinary Shares and Stock (but not out of any other Fund), discharge any Monies which they may be called upon to pay upon or in respect of any such Guarantee, and to the Extent of the Sum so paid they shall be Creditors of the Company instead of the Persons to whom such Sums shall be so paid, and shall be entitled to the Benefit of and may enforce the Mortgages for securing the same held by such Persons as fully and effectually as such Persons themselves or their Representatives might do if not paid off:

Provided always, that every such Guarantee shall be subject and without Prejudice to any Mortgages or Bonds then charged or

or attaching upon the Undertaking of the Great North of Scotland Railway Company, and to any Preference or Priority in Payment of Interest or Dividend on any Shares or Stock theretofore granted by that Company by, or in pursuance of, or confirmed by, any Act of Parliament, or then otherwise lawfully subsisting.

Meetings; Directors, §§ 13 to 19.

Power to make Railways, §§ 20 to 22.

Communication with Keith and Dufftown Railway, §§ 23 to 26.

Lands to be bought by Compulsion in Three Years, § 28.

Five Years for Completion of Works, §§ 29, 30.

Tolls, §§ 31 to 39.

Equality of Charge between and of Facilities to Traffic of the Morayshire, and Keith and Dufftown, and Great North of Scotland Railway Companies, § 40.

Power to enter into Traffic Arrangements with Keith and Dufftown and Great North of Scotland Railway Companies, §§ 41 to 49.

Power to agree as to Use of Station on Inverness and Perth Junction Railway, § 50.

Cap. xvii.

"Oswestry and Newtown Railway (Llanfyllin and Kerry Branches) Act, 1861."

Recites Incorporation of Company in 1855; proposes to revive and extend for further Periods some of the Powers by their Act given and limited for the compulsory Purchase of Land, and to construct Railways in extension of their Railway to Llanymynech Lime Rocks in the County of Salop, and to the Town of Llanfyllin and Village of Kerry in the County of Montgomery.

8 & 9 Vict. cc. 18. & 20. incorporated, § 2, 3.

Twelve Months Extension of Time for completing Purchase of Lands, and Two Years for purchasing Lands required for Purposes of this Act, §§ 4, 5.

Railways and Works authorized, § 6.

Three Years for Completion of Railways, § 10.

Certain Road to be crossed on the Level, §§ 11 to 13.

For Protection of the Shropshire Union Canal, §§ 14 to 18.

As to the crossing of certain Tramways to the Canal, § 19.

Certain Provisions of "The Companies Clauses Consolidation Act, 1845," extended to this Act, § 20.

Power to raise 90,000*l.*, with or without a Preference not exceeding 5*l.* per Cent., §§ 21 to 27.

Power to borrow 30,000*l.*, § 28, 29.

Schedule.—(Lands for which the Powers of compulsory Purchase are extended.)

Cap. xviii.

"The Inverness and Aberdeen Junction Railway (Branch) Act, 1861."

Proposes to construct a Branch Railway from their Alves Station to the Town and Harbour of Burghead, and to provide additional Station Accommodation at Inverness.

Incorporation of General Acts, § 2, 3.

Power to make Branch Railway and to acquire Lands, § 4.

Centre Line of Railway on the Shore near the Town of Burghead not to be deviated without the Consent of the Admiralty, §§ 5 to 9.

Three Years for compulsory Purchase, § 10.

Four Years for Completion of Works, § 11, 12.

Provision as to Tolls, &c., § 13.

Power to raise Capital of 20,000*l.* by new Shares, with a Preference not exceeding 5*l.* per Cent., §§ 14 to 18.

Power to borrow 6,650*l.*, §§ 19 to 21.

Power to acquire Land for additional Station Accommodation at Inverness, § 22.

Power to apply Corporate Funds to Purposes of this Act, § 23.

Any Land reclaimed by the Works not to be taken without the Consent of the Commissioners of Woods, &c., § 26.

Provision as to the Rights of the Crown, § 27.

Cap. xix.

"The Tiverton Roads Act, 1861."

Recites 11 Geo. 4. c. 97., that the Trustees have maintained the then existing Turnpike Roads, and have made a certain Portion of the Roads so authorized to be made, and have maintained as Turnpike Roads a certain Portion of the then existing Highways so authorized to be maintained as Turnpike Roads; that there are now due and owing upon the Credit of the Tolls authorized to be taken on the said "Old Roads," Principal Sums of Money amounting to the Sum of 37,550*l.*, or thereabouts, and upon the Credit of the Tolls authorized to be taken upon the "New Roads," Principal Sums of Money amounting to the Sum of 6,472*l.*, or thereabouts, together with Arrears of Interest on those Sums respectively; that it is expedient that the Mortgages now due and owing upon the Credit of the Tolls arising upon the "Old Roads" and "New Roads" respectively should hereafter be charged upon the Tolls arising upon the whole of the Roads comprised in the Trust, and that the Revenues arising upon the "Old Roads" and the "New Roads" respectively, and the Application of the same, should be amalgamated; that the said recited Act should be repealed; the Trust continued for 21 Years from 1st November 1861, and Mortgages charged upon the Tolls of the whole Roads.

Cap. xx.

"The Elton and Blackburn Roads Act, 1861."

Repeals an Act passed in the Tenth Year of the Reign of King George the Fourth, intituled "An Act for repairing, "improving, and maintaining in Repair the Road from "Brandlesome Moss Gate in the Township of Elton, to "the Duke of York Public House in the Township of "Blackburn, and a Branch Road therefrom, all in the "County Palatine of Lancaster," and extends the Term of the Trust for 21 Years from 1st November 1861.

Cap. xxi.

"The Borough of Portsmouth Waterworks Act, 1861."

Recites that in 1857 the Borough of Portsmouth Waterworks Company were incorporated, with a Share Capital of 80,000*l.*, divided into 8,000 Shares of 10*l.* each, and were authorized to purchase the Undertaking of the Company of Proprietors of the Portsmouth and Farlington Waterworks (Limited), for the Sum of 42,000*l.*, and to construct new Waterworks, and were empowered to borrow any Sums not exceeding 10,000*l.* when and so soon as the Company should have paid or satisfied to the said Farlington Company the said Sum of 42,000*l.*, and any further Sums not exceeding in the whole, together with the Sums previously borrowed by them, the Sum of 20,000*l.*, when and so soon as the whole of the said 80,000*l.* Share Capital should have been subscribed for, and the Company should have paid or satisfied to the Farlington Company the said Sum of 42,000*l.*; that they accordingly purchased the Undertaking of the Farlington Company for the Sum of 42,000*l.*, and have paid that Sum to the Farlington Company, and have constructed other Waterworks; that the whole of the Capital of 80,000*l.* has been subscribed for, and 79,000*l.* and upwards has been paid up thereon, and the Company have borrowed 20,000*l.*; that no Preference or Priority of Interest or Dividend has been granted by the Company; proposes to raise further Monies.

Incorporating Part of Companies Clauses Consolidation Act, § 2.

Power to create new Shares to the Amount of 40,000*l.*, with or without a Preference not exceeding 5*l.* per Cent., §§ 3 to 13.

Power to borrow progressively not exceeding 9,000*l.*, §§ 14, 15, 18.

Application of Shares in satisfaction of Debt, § 17.

Company may purchase additional Lands by Agreement, § 20.

Company not to erect Reservoirs, &c. thereon, &c., § 21.

Cap. xxii.

"The Witney Railway Act, 1861."

Recites their Act of 1859, and proposes to enable the Witney Railway Company to make a Road to their Station at Witney, and to attach a Preference not exceeding 5*l.* per Cent. to certain Shares.

Cap. xxiii.

"The South Shields Improvement Amendment Act, 1861."

Recites that by "The Tyne Improvement Act, 1850," it was enacted, amongst other Things, that when the South Shields Improvement Commissioners, or the Mayor, Aldermen, and Burgesses of the Borough of South Shields (if South Shields were constituted a Municipal Corporation), should have opened within their Borough a Quay of not less than 100 Yards in Length, for the Use of the Public, subject to the Payment of Quay Dues thereat to the Parties erecting such Quay, the Goods, Wares, and Merchandise landed thereat should thenceforth be exempted from the Payment of One Half of the Dues described in the said Act as Import Dues; that the Inhabitants of the Parliamentary Borough of South Shields have been constituted a Body Corporate under the Title of the Mayor, Aldermen, and Burgesses of the Borough of South Shields, and all the Provisions of the Act passed in the 6th Year of the Reign of His late Majesty King William the 4th and all the Powers of the said South Shields Improvement Commissioners have been transferred to the said Mayor, Aldermen, and Burgesses; that a Quay of more than 100 Yards in Length has been constructed on the Banks of the Tyne, and is now the Property of the North-eastern Railway Company; that the said Company are willing to sell, and the said Mayor, Aldermen, and Burgesses of South Shields are willing to buy such Quay, and to open the same for the Use of the Public, on Payment of such Dues as are herein-after mentioned; and the said Corporation are also desirous of using for Quay Purposes certain Lands adjoining to the said Quay and now vested in them, and of enlarging the said Quay on the Landward Side, with a view of making the same more commodious for the Public, and for that Purpose to take compulsory Powers for the Purchase of Lands and divers Buildings adjoining the said Quay; and it is expedient that all necessary Powers should be conferred on the said Corporation for making such Purchases as aforesaid and for raising the necessary Funds therefor; that in pursuance of the Powers conferred by "The South Shields Improvement Act, 1853," the Corporation have purchased the Building called the Town Hall, with its Appurtenances, standing in the Centre of the Market Place in the said Borough of South Shields, and the Right of holding Markets and Fairs in the Borough, and of taking Tolls for such Markets and

Fairs; that it was provided by the said South Shields Improvement Act that it should be lawful for the Corporation to maintain and improve or alter as they should think fit the existing Market or Markets, and also to establish, erect, and maintain Stalls, Standing Sheds, Booths, Shambles, and proper Conveniences within the said Market Place for the Sale of Cattle and Animals, and of Provisions, Goods, Wares, and Merchandises, and other marketable Commodities, and to alter or enlarge the said Town Hall, and to inclose and incorporate therewith the open Space of Ground Floor beneath it, or otherwise to improve it, or pull it down and erect a Building for a Town Hall in lieu thereof more suitable and convenient for municipal and public Purposes, and to furnish and fit up the Town Hall, and any Offices, Committee or other Rooms and Apartments therein with all necessary Furniture and Fittings, and to repair and reinstate the same from Time to Time as they should see fit, and Powers of raising Money for the above Purposes, herein-after called "Town Purposes," to an Extent not exceeding 6,000*l.* were vested in the Corporation; that no Improvements have been made in the said Town Hall in pursuance of the said Acts, and it is for the Advantage of the Public that the whole thereof should be taken down and a new One erected on another Site in the Market Place, but Doubts have arisen whether such Change of Site is allowed by the said Act; that by the 41st Section of the South Shields Improvement Act it is provided that the Surplus of the Stallages, Rents, and Tolls to be levied under the Provisions of that Act in respect of the said Markets and Fairs, after providing for the Payment of the Interest of the Monies borrowed and for the Expenses therein mentioned, should be allowed to accumulate as a Sinking Fund, to be applied by the Corporation in paying off the Principal Monies to be borrowed as therein mentioned, and subject thereto that it should be lawful for the Corporation either to lower the Stallages, Rents, and Tolls, to such an Extent as would reduce the Stallages, Rents, and Tolls to be levied and raised in respect of the said Markets and Fairs to the annual Amount (as near as might be) of the Expenses of the Maintenance, Repair, Working, and Management respectively of the said Town Hall and Market Buildings, Markets and Fairs, or to appropriate and apply the same wholly or in part in and towards the Extension and Improvement of the said Markets and Fairs, and in and towards providing suitable Works and Conveniences connected therewith; and it is expedient that Power should be given to the Corporation to apply the said Surplus in aid of the General District Rate levied by the Corporation; and proposes to remove Doubts which have arisen as to the Operation of certain Sections of "The Local Government Act, 1858," on the Provisions relating to the borrowing of Money contained in the said South Shields Improvement Act.

Council of Borough to carry Act into execution, § 2.
Incorporation of General Acts, § 3.

Power to purchase Quay and Works, § 4.
Saving Rights of the Crown, § 5.
Description of authorized Quay and Works, § 6.
Enlargement of Quay on River Side to be Part of Quay, § 7.
Before commencing Works Corporation to deposit Plans with Admiralty, and Works to be constructed under their Approval, §§ 8 to 10.
Power of Corporation to pull down Buildings, §§ 11 to 13.
Incorporation of Clauses of Harbours, Docks, and Piers Clauses Act, 1847, § 14.
Recovery of Penalties and Damages, § 15.
Three Years for compulsory Purchase of Lands, § 16.
Corporation to appoint Meters, Weighers, and other Officers, § 17.
Powers for the Corporation to dredge Bed of River Tyne, § 18.
Penalty for obstructing River in front of Quay, § 19.
Powers of Quay Masters not to interfere with Jurisdiction of Harbour Master, § 20.
Legal Quay to be approved by the Treasury, &c., § 21.
Goods landed at Quay to be exempt from One Half of Import Dues, § 22.
Corporation to allow Tyne Improvement Commissioners to inspect Books and Accounts, § 23.
Powers to demise Lands, &c., and make Regulations with respect to Buildings, § 24.
Rates to be taken for Vessels using the Quay; Rates on Goods shipped or unshipped at the Quay, § 25.
Exemption of Vessels in Her Majesty's Service, &c. from Rates, § 26.
Additional Rate for Vessels using Quay beyond Eight Days, § 27.
Rates for Weighing Machines, Cranes, &c., § 28.
Corporation to keep separate Accounts, § 29.
Power to borrow on Rates and Dues 20,000*l.* for Quay Purposes, § 30.
Incorporation of certain Sections of Commissioners Clauses Act, § 31.
Power to borrow 4,000*l.* more for Town Purposes, § 32.
Existing Mortgages to have Priority, § 33.
Power for Mortgagees to appoint Receivers, § 34.
Power to mortgage Quay and Rates, § 35.
Sinking Fund, § 36.
Application of Rates, § 37.
Power of Corporation to build new Town Hall, § 38.
Power to purchase Lands by Agreement, § 39.
Power of Corporation to make Shops, § 40.
Provisions of this Act cumulative, § 41.
Corporation may appoint Committees, § 42.
Regulating the Proceedings of Committees, § 43.

Application of Stallages, Rents, and Tolls.

44. The Forty-first Section of "The South Shields Improvement Act, 1853," shall be repealed, and in lieu thereof it shall be enacted as follows:—The Stallages, Rents, and Tolls to be levied under the Provisions of this Act in respect of the said

said Markets and Fairs shall be applied by the Corporation in manner herein-after mentioned; (that is to say,) In the first place in the Payment of the annual Interest of Monies borrowed for the Purchase of or for Purposes connected with the Town Hall and Market Buildings, and Markets and Fairs in the Borough, and due and owing under the Authority of this Act; and in the second place in Payment of the Expenditure incident to the Maintenance, Repair, and Management of the Town Hall and Market Buildings, Markets and Fairs, in the Borough, and the Repair of the Market Place Pavement, and the Surplus, if any, shall be allowed to accumulate as a Sinking Fund, which shall be applied by the Corporation in and towards paying off the Principal Monies so to be borrowed as aforesaid; and when and so soon as the whole of the Money so to be borrowed as aforesaid shall have been paid off and discharged, it shall be lawful for the Corporation either to lower the said Stallages, Rents, and Tolls, to such an Extent as will reduce the Stallages, Rents, and Tolls to be levied and raised in respect of the said Markets and Fairs to the annual Amount (as near as may be) of the Expenses of the Maintenance, Repair, Working, and Management respectively of the said Town Hall and Market Buildings, Markets and Fairs, or to appropriate and apply the same wholly or in part in and towards the Extension and Improvement of the said Markets and Fairs, and in and towards providing suitable Works and Conveniences connected therewith, or in aid of the General District Rate.

For removing Doubts as to Effect of 21 & 22 Vict. c. 98. (*Pub.*) or 16 & 17 Vict. c. lxxxiii.

45. For the Purpose of removing the Doubts that have arisen as to the Construction and Operation of "The Local Government Act, 1858," with reference to certain Provisions of "The South Shields Improvement Act, 1853," be it enacted, That all the borrowing and mortgaging Powers contained and enacted by reference to "The Public Health Act, 1848," or otherwise in and by the said "South Shields Improvement Act, 1853," as amended by this Act, shall not be deemed to have been in any way repealed or affected by "The Local Government Act, 1858," or any Provisions therein contained, except that in all Cases in which the Sanction, Consent, Direction, or Approval of the General Board of Health is rendered requisite in and by the said "South Shields Improvement Act, 1853," to the due Exercise of any of the Powers vested thereby in the South Shields Corporation as the Local Board of Health, such Powers or any of them shall and may henceforth be exercised with and under the Sanction, Consent, Direction, or Approval of One of Her Majesty's Principal Secretaries of State, in lieu of the Sanction, Consent, Direction, or Approval of the General Board of Health mentioned in the said "Public Health Act, 1848."

Saving the Rights of the Dean and Chapter of Durham; of Tyne Improvement Commissioners; of Corporation of Newcastle; of Corporation of Trinity House of Newcastle-upon-Tyne, §§ 46 to 49.

Schedule (Rates and Dues).

Cap. xxiv.

"Clitheroe Gas Act, 1861."

Recites the Formation of the Company in 1836 as a Joint Stock Company; that their Capital is 3,750*l.*, consisting of 2,500*l.* in 250 Shares of 10*l.* each, and 625*l.* in 250 A Quarter Shares of 2*l.* 10*s.* each, and 625*l.* in 250 B Quarter Shares of 2*l.* 10*s.* each, which are all fully paid up, and the whole of which has been expended for the Purposes of their Undertaking; that out of their Profits which they might have divided they have expended on durable Additions to their Gas Works more than 2,247*l.* 4*s.* 8*d.*, being more than One Half of the Amount of their paid-up Capital; and that they have no Mortgage or Bond Debt; proposes to extend their Works, and to incorporate the Company.

Incorporation of General Acts, §§ 2, 3.

Limits of Act, § 4.

Company incorporated, and Rights and Liabilities saved, §§ 6 to 17.

Capital.

18. The Capital of the Company shall be 25,000*l.*, consisting of the following Particulars; (that is to say,)

	£
Two hundred and fifty Class A Shares of 6*l.* each, which shall be deemed fully paid up -	1,500
Five hundred Class B Shares of 1*l.* each, which shall be deemed fully paid up - - -	500
Two hundred and fifty Class C Shares of 10*l.* each, which shall be deemed fully paid up - -	2,500
Five hundred Class D Shares of 2*l.* 10*s.* each, which shall be deemed fully paid up - -	1,250
One thousand nine hundred and twenty-five ordinary Shares of 10*l.* each - - -	19,250
Total -	£25,000

Shares vested in present Shareholders of Joint Stock Company.

19. The Class A Shares, the Class B Shares, the Class C Shares, and the Class D Shares respectively are by this Act appropriated to and vested in the several Persons who immediately before the passing of this Act were the registered Holders of the Shares of the Joint Stock Company, and are so appropriated to and vested in them respectively as follows, (that is to say,)

One Class A Share to the Holder of every 10*l.* Share of the Joint Stock Company's Capital in respect of each such Share;

One Class B Share to the Holder of every Quarter Share of that Capital in respect of each such Quarter Share.

One Class C Share to the Holder of every 10*l.* Share of that Capital in respect of each such Share;

One Class D Share to the Holder of every Quarter Share of that Capital in respect of each such Quarter Share.

Prescribed Rates of Dividend.

20. With reference to the Clauses of the "Gas Works Clauses Act, 1847," "with respect to the Amount of the Profits "to be received by the Undertakers where the Gas Works are

" carried on for their Benefit," the prescribed Rates of Profits to be divided among the Shareholders shall be, as regards the Class A Shares and the Class B Shares respectively, 5*l.* per Centum per Annum; and as regards the Class C Shares and the Class D Shares respectively, 10*l.* per Centum per Annum; and as regards the ordinary Shares, 7*l.* 10*s.* per Centum per Annum, on the Amount from Time to Time actually paid up on the Shares respectively: Provided, that the Holders of the Class A Shares and the Class B Shares respectively shall be entitled pari passu in Proportion to the respective Amounts of those Shares to a fixed preferential Dividend of 5*l.* per Centum per Annum, which shall from Time to Time be paid in full before any Dividend is paid on any other Share.

Shares vested upon same Trusts, § 21.
Power to borrow forthwith 1,000*l.*, and further borrowing Powers to 6,000*l.* more, §§ 27 to 30.
Meetings; Directors, §§ 31 to 41.
Power to take Lands, §§ 42 to 44.
Five Years for compulsory Purchase of Lands and Easements, § 45.
Power to maintain Gas Works, lay down Gas Mains, and to make and supply Gas, §§ 46 to 48.
Limit of Price of Gas to 5*s.* per 1,000 Cubic Feet, § 49.
Illuminating Power of Gas, § 50.
Company to provide Testing Meter, §§ 51 to 54.
Use of Gas Meters, Distress, and Penalties, §§ 55 to 64.

Cap. xxv.

" The Oldham and Ripponden Roads Act, 1861."

Recites that 14,444*l.* is owing upon the Security of the Tolls, and also some Interest; repeals "An Act for more effectually "amending the Road from Oldham in the County of Lan- "caster to Ripponden in the County of York, and other "Roads in the same Counties; and for making and main- "taining a new Branch to communicate therewith," and makes other Provisions in lieu thereof, so far as regards the said Road from Oldham to Ripponden, and the other Roads already made in connexion therewith; and continues the Trust for 21 Years from the 1st September 1861.

Cap. xxvi.

" The Kendal Fell Act, 1861."

Recites that an Act was passed in the Seventh Year of the Reign of His late Majesty King George the Third, intituled, "An Act for inclosing a Piece of Waste Land in the Borough "and Township of Kirkby-in-Kendal, for the Benefit of the "Poor, and for cleansing and enlightening the Streets of the "said Town, and for confirming a Rule or Order of Assize and "Order of the High Court of Chancery, relating to Rates "and Assessments to be raised for the Relief of the Poor, by "the Inhabitants of the said Township, and the Owners of "Lands called the 'Park and Castle Lands,'" under or by

virtue of which Act a Common or Tract of Waste Ground called "Kendal Fell," lying within the Burgh and Township of Kirkby-in-Kendal, and containing by Estimation 158 Acres or thereabouts, and whereon the respective Owners and Proprietors of several Freehold Lands or Tenements, and of several Burgage Houses, Lands, or Tenements, situate within the said Burgh or Township were (as stated in the said Act) entitled to a Right of Common of Pasture in respect of, or as appendant or appurtenant or belonging to their said several Houses, Lands or Tenements, and had also in respect as aforesaid a Common or Right and Liberty of digging for, taking, and carrying away of Stone, Gravel, Sand, and Clay, and to get Limestones, and to burn the same into Lime, in and upon the said Waste or Common, was vested in certain Trustees for the several Purposes therein provided; that the said Common hath been inclosed under the Powers of the said Act; that the said inclosed Lands immediately adjoin to and bound for some Distance the said Town of Kendal, and some Parts thereof are very eligible for Sites for Houses and Buildings, but by reason of the said Act not containing any Powers authorizing the Sale of any Part of the said inclosed Lands for Building Purposes, or the leasing thereof for sufficiently long Terms to induce Persons to build thereon, the Increase of the said Town on the Sides thereof bounded by the said inclosed Lands is stopped, and the Value of the said Lands greatly diminished; that it would tend to increase the Value of the said Lands, and also tend to the Increase and Improvement of the said Town, and in other respects be beneficial to the Inhabitants thereof if the Trustees were authorized to let or sell Parts of the said inclosed Lands for the Sites of Houses and Buildings, and of Gardens and other Conveniences, and to lease and work the Quarries and Stone under any Part of the said inclosed Lands.

Repeal of Act and Saving of Rights and Liabilities, §§ 3 to 11.

Incorporation of Commissioners Clauses Act and the Lands Clauses Consolidation Acts, § 12.

Interpretation of the Word "Rate" in Commissioners Clauses Act, § 13.

Service of Notices on the Trustees, § 14.

Number and Qualification of Trustees, § 15.

Qualification of Electors, § 16.

Period of Continuance in Office of Clerk and other Officers, § 17.

Time and Place for Election of Trustees, § 18.

Power to borrow 2,000*l.*, § 19.

Trustees may purchase up Fee-farm Rents, &c., or may charge same on certain Lands, § 20.

Trustees may set out Roads and make Approaches, &c., § 21.

Roads and Sewers when made to be maintained as any other public Roads or Sewers in the Borough, § 22.

Power to grant Building Leases, § 23.

Power to enter into Contracts for Leases and to apportion Rent on Leases being granted, § 24.

Contracts to contain certain Clauses, § 25.
Power to alter, release, or renew Contracts, § 26.
Contracts to form no Part of Title after Leases granted, § 27.
Leases valid though varying from Contracts, § 28.
Trustees may grant Leases of Lands for working Stone, § 29.
Power to enter into Contracts for Leases for working Stone, § 30.
Power of Leasing at Rackrent, § 31.
Power to surrender Leases, and to re-demise the Premises so surrendered, and also Premises the Leases of which may have been avoided by Re-entry, § 32.
Leases void or voidable for Informality may be confirmed, § 33.
Power to sell Lands for a Sum in gross, § 34.
Power to sell for a Fee-farm Rent, § 35.
Deeds and Contracts to be entered into by Four Trustees in the Name of the whole, upon a Resolution passed at a Meeting of Trustees, § 36.
Trustees may require Purchasers to erect Buildings of given Class and according to Plan, &c., § 37.
Trustees may take Security from Lessees and Purchasers for the Performance of their Contract, § 38.
Trustees may for certain Purposes purchase or exchange Lands, § 39.
Trustees may receive or pay Sums for Equality of Exchange, § 40.
Application of Money arising from Sales, § 41.
Trustees may erect Limekilns at the public Quarries, § 42.
Power to Trustees to get and dispose of Limestone and Lime, § 43.
Certain Lands set apart for Recreation, Sites of Public Buildings, &c., § 44.
Serpentine Walks to be preserved for Public Recreation, § 45.
Income of Trustees may be applied to Repair of Buildings, &c., § 46.
Power to remove Limekilns, &c., § 47.
Public Rights to be provided for, § 48.
Power to make Byelaws, § 49.
Penalties for Breach of Byelaws, § 50.
Application of Income, § 51.
Township Lands exempted from 5 & 6 Will. 4. c. 69, and subjected to 4 & 5 Will. 4. c. 76., § 52.

The SCHEDULES to which the foregoing Act refers.

The First Schedule (Lands).
The Second Schedule.—Rents to the Lords.
The Common vested in the Trustees in Common Socage.
Rights reserved to the Lords of the Manors.
Reservation of other Rights in general.
For confirming the Order of Assize and Rule of the Court of Chancery.
For proportioning the Assessments to be paid by the Inhabitants of the Township and Castle Park Lands.
That the Owners of Castle Park Lands shall pay Arrears for a certain Time.

For preventing Doubts and Litigations in the raising of Assessments by virtue of this Act.

THE THIRD SCHEDULE (Form of Deed of Exchange).

Cap. xxvii.

"The Kingston and Leatherhead Turnpike Road Act, 1861."

Recites that 10,301*l.* 5*s.* is due upon Mortgage of the Tolls; repeals the Act relating to the Kingston-upon-Thames and Leatherhead Turnpike Road, in the County of Surrey, and continues the Trust for 21 Years from 1st October 1861.

Cap. xxviii.

"The Bradford, Wakefield, and Leeds Railway Act, 1861."

Recites their Acts of 1854, 1859, and 1860, and proposes to construct a Railway from Ossett to join the London and North-western Railway at or near Batley, all in the West Riding of the County of York, and to raise further Monies.

Incorporation of General Acts, §§ 2, 3.

Two Years for compulsory Purchase, § 5.

Power to construct Railways, § 7.

Regulating Inclinations of certain Roads, § 8.

Power to alter Engineering Works, § 9.

Communication with the London and North-western Railway, §§ 10 to 14.

Four Years for Completion of Works, §§ 15, 16.

Tolls, § 17.

Power to apply Corporate Funds for Purposes of Act, § 18.

Power to raise additional Capital of 40,000*l.* by new Shares, with or without a Preference not exceeding 5*l.* per Cent., and to borrow 13,300*l.*, §§ 19 to 31.

Part of Sect. 59. of 17 & 18 Vic c. clx. as to running Powers over Leeds, Bradford, and Halifax Junction Railway repealed.

32. So much of the 59th Section of "The Bradford, Wakefield, and Leeds Railway Act, 1854," as requires the Leeds, Bradford, and Halifax Junction Railway Company to allow the Company to use and run over with their Engines and Carriages of every Description all or any Part of any Railways which may hereafter belong to the Leeds, Bradford, and Halifax Junction Railway Company, and also to use the Stations, Watering Places, Water Sidings, Platforms, Booking and other Offices, Warehouses, Buildings, Conveniences, and Accommodations upon or connected with any such Railways, shall be, and the same is hereby repealed: Provided always, that nothing herein contained shall prejudice or affect the Rights of the Company under the Provisions of that Section to use and run over with their Engines and Carriages of every Description all or any Part of the Railways of the Leeds, Bradford, and Halifax Junction Railway Company, constructed under any Act passed prior to the present Session of Parliament, and to use the Stations, Watering Places, Water Sidings, Platforms, Booking and other Offices, Warehouses,

Buildings, Conveniences, and Accommodations in connexion therewith now belonging to the said last-mentioned Company, or which may hereafter be constructed or provided upon, or in connexion with, such last-mentioned Railways, or any Part thereof.

Cap. xxix.

"The Kilrush and Kilkee Railway, and Poulnasherry Reclamation Amendment Act, 1861."

Recites Incorporation in 1860 for making a Railway from Kilrush to Kilkee, and for embanking and reclaiming the Estuary of Poulnasherry in the County of Clare; that they are authorized to raise Capital in Shares to the Amount of 45,000*l.*, whereof the Sum of 37,800*l.* is applicable to the Railway, and 7,200*l.* to the Embankment and Reclamation; and to borrow a Sum not exceeding 15,000*l.*, whereof 12,000*l.* is applicable to the Railway, and 2,400*l.* to the Embankment and Reclamation; that Part of the said Capital has been raised, but no Money has yet been borrowed; proposes to divert a Portion of the Railway in the Townland of Leadmore West and Parish of Kilrush, and also of the Line of Railway and Embankment across the Slob Lands of Poulnasherry Bay, and to relinquish such Portion as will by the said Deviation be rendered unnecessary; also proposes to deepen and improve the Channel of the Creek and Harbour of Kilrush, and to construct a Quay or Landing Place and other necessary Works for the Accommodation of the Trade of the said Harbour, and to levy Tolls, Rates, and Dues in connexion therewith.

Incorporation of Companies and Lands and Railways Clauses Acts, § 3.

Certain Parts of 10 & 11 Vict. c. 27. incorporated.

4. The following Sections of "The Harbour, Docks and Piers Clauses Act, 1847," are, as far as relates to the Rates for the Use of the Landing Place, hereby incorporated with this Act; (that is to say,)

With respect to the Rates to be taken by the Undertakers or Company;

With respect to the Collection and Recovery of Rates.

Power to Company to increase Capital.

5. Whereas the additional Capital required by the Company for the Purposes of this Act amounts to the Sum of 15,000*l.*, making, with the Sum of 45,000*l.* which the Company are by their recited Act authorized to raise, the Sum of 60,000*l.*: Therefore, the said Sum of 60,000*l.* shall be the total Capital of the Company, of which the Sum of 37,800*l.* shall be applicable to the Railway and Landing Place, and the Sum of 22,200*l.* to the Embankment and Reclamation, instead of the several Sums herein-before mentioned as respectively applicable to such Purposes.

Any Surplus remaining from Embankment to be applied to Railway.

6. In the event of the whole of the said Sum of 22,200*l.* not being required for the Embankment and Reclamation, it shall be lawful for the Company to apply the Surplus that may remain (if any) after providing for these Purposes, to the making

making and maintaining of the Railway or other Works or Purposes of the Company.

Division of additional Capital into Shares; and Incidents of Shares, §§ 7 to 16.

Power to borrow 5,000*l.*, §§ 17, 19.

18. Of the said total Sum of 20,000*l.* under this or the said recited Act authorized so to be borrowed, the Sum of 12,600*l.* shall be applicable to the Railway and Landing Place, and the Sum of 7,400*l.* to the Embankment and Reclamation. Application of borrowed Money.

Description of Works by this Act authorized, § 21.

Relinquishment of Portion of Railway and Compensation, §§ 22 to 24.

Railway and Works to be made according to deposited Plans and Sections, § 25.

Plans as to Reclamation to remain with Clerk of Peace, § 27.

Defining the Waste Lands, § 29.

Three Years for compulsory Purchase of Lands, § 30.

Four Years for Completion of Railway, § 31.

Works to be approved by the Admiralty, §§ 32 to 34.

Tolls of Railway to be same as on original Line, § 35.

Rates and Tolls, §§ 36 to 40.

Saving Rights of Crown and of Lords of Manors, §§ 43, 44.

Cap. xxx.

"The Morayshire Railway Act, 1861."

Recites that under their Act of 1846 they have constructed a Railway from the Harbour of Lossiemouth to the City and Royal Burgh of Elgin; and under their Act of 1856 they have constructed a Railway from Orton to Craigellachie; that both those Railways have been for some Time open for public Traffic; that by their Act of 1860 the said Company were authorized to make a Railway from Elgin to Rothes to connect the Railways theretofore constructed by them as aforesaid; that it is expedient that the Morayshire Railway Company should be authorized to extend their Railway from Craigellachie to the Strathspey Railway, and to raise Capital for that Purpose; that by means of the Keith and Dufftown Railway and the Strathspey Railway, continuous Railway Communication will be afforded between the Great North of Scotland Railway and Grantown and Abernethy, and by means of the Strathspey Railway and the Morayshire Railway, as extended by this Act, continuous Railway Communication will also be afforded between Dufftown, Grantown, and Abernethy, and Elgin and the Harbour of Lossiemouth, and the Morayshire Railway might therefore be advantageously worked in connexion with the other Railways before-mentioned; and for effecting that Object and providing Facilities for the Interchange of Traffic, it is expedient that the Provisions herein-after contained with respect to Working and other Arrangements should be authorized, and that the Agreement set forth in the Schedule to this Act should be confirmed; and that it is expe-

dient that the Great North of Scotland Railway Company should be enabled, in Terms of the scheduled Agreement, to contribute towards the Expense of the Railway by this Act authorized; and whereas the Objects aforesaid cannot be effected without the Authority of Parliament.

Incorporation of General Acts, §§ 2, 3.

Power to make Railway, §§ 4, 5.

Junction with the Strathspey Railway, §§ 6 to 8.

Two Years for compulsory Purchase of Lands, § 9.

Four Years for Completion of Works, §§ 10, 11.

Provision as to Tolls, § 12.

Power to raise Capital of 20,000*l.* by new Shares, with or without a Preference not exceeding 5*l.* per Cent., §§ 13 to 15.

Power for the Great North of Scotland Railway Company to subscribe 20,000*l.*, and to apply any existing Funds towards their Subscription, §§ 16 to 23.

Power to borrow 6,600*l.*, §§ 24 to 26.

Power for the Company to enter into Agreements with the Three Companies with respect to the Working or Use of the Railways, § 27.

Confirmation of Agreement in Schedule, §§ 28 to 35.

Schedule (Agreement).

Cap. xxxi.

"The Stratford-upon-Avon Railway Act, 1861."

Recites their Act of 1857; that their Railway is completed and opened for Traffic; proposes to raise further Sums.

Incorporation of Parts of Companies Clauses Consolidation Act, §§ 2, 3.

Level Crossing under recited Act, §§ 4 to 7.

Power to raise further Capital of 17,500*l.* with or without a preferential Dividend not exceeding 5*l.* per Cent., §§ 8 to 21.

Power for Company to borrow 5,700*l.* more, §§ 22 to 25.

Cap. xxxii.

"The Wrexham and Minera Railway Act, 1861."

Proposes to make a Railway from a Point near the Wrexham Station of the Shrewsbury and Chester Section of the Great Western Railway to a Point on the Minera Branch of the same Railway, near the Brymbo Tunnel on the said Branch, all in the County of Denbigh; to authorize the Company to run over and use, with their own Engines, Carriages, and Wagons, so much of the said Shrewsbury and Chester Section of the Great Western Railway as lies between the intended Junction of the Railway therewith and the Wrexham Station of that Railway, and also to use the said Station; and to enable the Company herein-after incorporated and the Great Western Railway Company to make and enter into such Agreements and Arrangements as are herein-after authorized with respect to the Working and Use of the Lines of Railway belonging to the said Com-

panies respectively, and the Regulation and Management of the Traffic thereon, and the Division and Apportionment of the Profits arising therefrom.
Incorporation of General Acts, § 1.
Subscribers incorporated with a Capital of 36,000*l.*, in Shares of 10*l.* each, and with Power to borrow 12,000*l.*, §§ 3 to 8.
Meetings; Directors, §§ 11 to 18.
Line of Railway, § 19.
Power to make Railway, § 20.
Communications with the Great Western Railway, §§ 21 to 25.
Three Years for the compulsory Purchase of Lands, § 27.
Five Years for Completion of Works, §§ 28, 49.
Tolls, §§ 29 to 38.
Power to Company to use Portion of Great Western Railway, § 39.
Power to make Traffic Arrangements with the Great Western Railway Company, §§ 40 to 48.
Saving Rights of the Crown, § 50.

Cap. xxxiii.

"The Dewsbury, Batley, and Heckmondwike Waterworks Amendment Act, 1861."

Recites that by "The Dewsbury, Batley, and Heckmondwike Waterworks Act, 1856," the respective Local Boards of Health for the Districts of Dewsbury, Batley, and Heckmondwike were authorized to make, complete, and maintain, together with other Waterworks, a compensating Reservoir on the River Dun, at or near Dunford Bridge, for the Protection of Millowners, a Conduit from at or near Dunford Bridge to a certain Field adjoining Potter's Gate Road, and the Broad Stone Dyke in the Township of Foolstone in the Parish of Kirkburton; and another Conduit from a certain Field called the Broad Stone, in the said Township of Foolstone, to a Field called Purl Hill, at Staincliffe in the Parish of Batley, all in the West Riding of the County of York; and it is expedient that another Gauge or Weir should be substituted for the existing Gauge or Weir in connexion with the said Reservoir, and a Conduit in lieu of Part of the said Conduit from Dunford Bridge, and a Reservoir with a Bye-wash in connexion with the said Conduit to Purl Hill should be constructed by and as Part of the Undertaking of the said Local Boards, and that certain of the Provisions of the said Act should be amended, due regard being had to the Protection of the Millowners, and that each of the said Local Boards should be authorized to raise by Mortgage a further Sum of Money:
Local Boards united for Purposes of this Act, § 3.
Powers of united Boards under this Act to be exercised by Committee, § 4.
Incorporation of General Acts, § 5.
Power to make Waterworks, §§ 6, 7.
Power to purchase Easements, §§ 8 to 11.

Authorized Works to form Part of the Undertaking, § 12.
Period for Completion of Works, Three Years and Ten Years respectively, § 13.
Part of Conduit to be abandoned, § 14.
Construction of Aqueduct or Conduit, § 15.
Provisions of recited Act for Protection of Millowners to apply to new Works, § 16.
Millowners Expenses to be made good, § 17.
Reservoir Provisions, §§ 18 to 27.
Mode of levying Water Rate, § 28.
Power for the Dewsbury Board to borrow 15,000*l.*; for the Batley Board to borrow 10,000*l.*; and for the Heckmondwike Board to borrow 5,000*l.*, §§ 29 to 31.
Sinking and Depreciation Fund, § 32.
Application of Receipts of Dewsbury Board, of Batley Board, and of Heckmondwike Board, §§ 33 to 35.
Saving Rights of Millowners, § 38.

Cap. xxxiv.

"The Lancashire and Yorkshire Railway (Bootle Branch, &c.) Act, 1861."

Proposes to make a Railway from the Lancashire and Yorkshire Railway in the Township of Aintree and Parish of Sefton to Bootle, with Two short Branches, the one to the Aintree Station and the other to the Seaforth Station of the Lancashire and Yorkshire Railway; to construct over Ordsall Lane in the Township of Salford in the Parish of Manchester, a Bridge to connect the Stations, Lines of Railway, and Works of the Company lying on each Side of Ordsall Lane aforesaid; recites that certain Lands in the Township of Pendleton in the Parish of Eccles, and in the said Township of Salford, were heretofore purchased by the Company of Proprietors of the Manchester, Bolton, and Bury Canal Navigation, for the Purposes of their Canal, for a Term of Three Lives then in being, but the said Company of Proprietors neglected to purchase the Reversion in the said Lands after the Determination of the said Term; and the said Lands, which now form Part of the Site of the said Canal, or are immediately contiguous thereto, are now occupied by the Lancashire and Yorkshire Railway Company, who are the Owners of the Undertaking of the said Company of Proprietors; and proposes to purchase the Fee Simple and Inheritance of the same Lands, and of other Lands adjacent thereto; and to raise additional Capital for the Purposes of this Act and for the general Purposes of their Undertaking; and to amend the existing Acts of the Company.

Incorporation of General Acts, § 1.
Power to make Railways and Works according to deposited Plans, § 2.

New Lines of Railway and Works.

3. The new Lines of Railway and Works to be made under the Authority of this Act shall be the following:—

1. A Railway to commence by a Junction with the Lancashire and Yorkshire Railway in the Township of Aintree in the Parish of Sefton, near to Sherwood Lane, to pass through or into the Townships of Aintree, Sefton, Orrell, and Ford, and Litherland, in the Parish of Sefton, and the Townships of Fazakerley, Walton-on-the-Hill, and Bootle-cum-Linacre, in the Parish of Walton-on-the-Hill, and to terminate in the said last-mentioned Township and Parish, near to Richmond Lodge, at the West End of the Strand Promenade, Bootle: Aintree and Bootle Railway.

2. Two short Lines of Railway to connect the said last-mentioned intended Railway with other Parts of the Lancashire and Yorkshire Railway, the First Line to be wholly situate in the said Parish of Sefton, and to commence near and to the South-east of Park Gate House in the Township of Sefton, and passing through or into that Township, and the Township of Orrell and Ford, and the Township of Netherton, and to terminate in the last-named Township at the South End of the Aintree Station; and the other Line to commence in the Township of Litherland in the said Parish of Sefton, a little to the South of Seaforth Parsonage, passing through or into that Township, and the Township of Bootle-cum-Linacre in the said Parish of Walton-on-the-Hill, and to terminate in the said Township of Litherland by a Junction with the Lancashire and Yorkshire Railway near and to the South of the Seaforth Station: Branches to Aintree and Seaforth Stations.

A Bridge over Ordsall Lane, in the Township of Salford and Parish of Manchester. Bridge over Ordsal Lane.

4. It shall be lawful for the Company to purchase compulsorily the Land shown on the said deposited Plans, and therein described as "Lands at Pendleton and Salford," which Lands are coloured Pink upon the said deposited Plans; and it shall be lawful for the Trustees of Trinity Chapel, Salford, to sell and convey such of the said Lands as now belong to them unto the Company, in consideration of an annual Rentcharge payable by the Company to such Trustees for the Time being, and charged upon the Undertaking of the Company, and recoverable in such Manner as is by "The Lands Clauses Consolidation Act, 1845," provided and declared with respect to Chief Rents payable to Vendors absolutely entitled to the Lands sold. Lands at Pendleton and Salford.

Limiting Powers for compulsory Purchase of Land in Bootle, § 5.
Continuation of Regent Road, § 6.
Crossing Regent Road, § 7.
Bridges over Railway at Bootle, § 8.
Provision for future Bridges, § 9.
Saving of the Rights of the Earl of Derby, § 10.
As to Railway along Shore of Mersey, § 11.

Certain Provisions of the Railways Clauses Act to apply to Mains, Pipes, &c., of the Corporation of Liverpool, § 12.
For Protection of Leeds and Liverpool Canal, §§ 13 to 16.
Construction of Railway across Ordsall Lane in Salford, § 17.
Company to keep the Bridge in good Repair, § 18.
Company not to interrupt the free Passage of the Street, § 19.
Provision as to Alteration of Company's Bridge over the Canal at Ordsall Lane, § 20.
Sufficient Hoards to be erected for the Protection of the Public during the Execution of certain Works, § 21.
Plans, &c., of Bridges to be deposited with the Corporation, § 22.
Interpretation of certain Terms in Railways Clauses Consolidation Act, § 23.
Corporation may enter upon certain Plots of Land belonging to the Company and lay same to Ordsall Lane, § 24.
Saving Rights of Corporation of Salford and of the Earl of Sefton, § 25, 26.
Five Years for Completion of Railways, §§ 28, 39.
Tolls, § 29.
Power to raise 210,000*l.* by Shares, with a Preference not exceeding 5*l.* per Cent, §§ 30 to 34.
Preferences granted by Company under Acts of present Session to rank equally, § 35.
Power to borrow 70,000*l.*, §§ 36 to 38.
Saving Rights of the Crown and the Duchy of Lancaster, § 43.

Cap. XXXV.

"The Garston and Liverpool Railway Act, 1861."

Recites that it is expedient that a Railway should be made between the Saint Helens Railway at Garston, which is now vested by Lease in the London and North-western Railway Company, and the Neighbourhood of the Brunswick Dock, at Liverpool; and that the Manchester, Sheffield, and Lincolnshire Railway Company, and the Great Northern Railway Company, should jointly construct the same; and that the said Two Companies are willing to take upon themselves jointly the Duty of constructing and managing the said Railway upon the Conditions hereinafter contained; that it is also expedient that the Provisions herein-after contained should be made, in order to effectuate an Agreement between the several Companies interested, with respect to the reciprocal Use by the Manchester, Sheffield, and Lincolnshire, and the London and North-western Railway Companies, of Parts of their respective Undertakings; and that the Sheffield Railway Company and the Great Northern Railway Company should be authorized to acquire Land for the Construction of a Station, and should be authorized to construct a Station in the Parish of Childwall in Lancashire:

As to Management of Railway.

2. Within One Month after the passing of this Act, the Directors of the Sheffield Railway Company shall nominate and appoint in Writing, under the Hand of their Chairman or Secretary, Three Persons, and the Directors of the Great Northern Railway Company shall within the same Period in like Manner nominate and appoint Three Persons, and such Six Persons shall form a Committee, to be called "The Garston and Liverpool Railway Committee;" and the said Members shall remain in Office One Year, and their Places shall be filled, or they may be re-appointed by the same Means by which the original Appointments were made; and all the Powers vested in them by this Act may be exercised by them in the Name of the Committee; and the Expression, "the Promoters of the Undertaking" in "The Lands Clauses Consolidation Act, 1845," and the Expression "the Company" in "The Railways Clauses Consolidation Act, 1845," shall mean and apply to the Committee.

As to Vacancies in Committee.

3. The said Companies may from Time to Time, in like Manner, at their Pleasure remove the Members of the Committee so nominated by them respectively, and may in like Manner respectively fill up the Vacancies occurring among such Members, by Removal, Death, or Resignation; and no Act done by the Committee shall be invalidated because of any alleged or real Want of Authority on the Part of the said Chairman or Secretary to sign such Appointment.

Meetings of Committee.

4. The Committee shall hold its Meetings at such Place as it may from Time to Time determine upon, but if no Place be determined upon, then at the Station of the Sheffield Railway Company at Manchester, and Four shall be a Quorum thereof; and the Chairman of each Meeting shall be elected alternately from the Members representing each of the said Companies, if any such Member be present at the Commencement of such Meeting, and unless otherwise unanimously agreed on at any such Meeting; and (subject to the next following Enactment) the Proceedings of the Committee shall be determined by a Majority of the Persons present, the Chairman having only his original Vote, and not a Casting Vote.

As to Settlement of Disputes.

5. The Committee shall, at their First Meeting in every Year, appoint some Person as Arbitrator for the ensuing Year; and if any Difference shall at any Time arise in the Committee between the Members thereof representing the Companies respectively, such Differences shall be from Time to Time referred to the said Arbitrator, or in default of the Appointment of such Arbitrator by the Committee, then to an Arbitrator to be nominated by the Board of Trade on the Application of either of the Companies; and the Arbitrator may, on Application made to him by either of the said Companies, attend at any Meeting of the Committee and summarily decide any such Matter of Difference; and every Award or Decision of such Arbitrator shall be final, with respect to the Matters submitted to him, and the said Committee or the Board of Trade, as the Case may be, may fix the Remuneration to be paid to such Arbitrator: Provided always, that if any Matter which may have been referred to the

the Arbitrator shall be left undecided by him at the Expiration of his Year of Office, the same Matter shall be decided by the said Arbitrator, and his Decision shall be binding although he may no longer fill the said Office.

Functions of Committee.

6. The Committee shall have the Direction of the Undertaking, and they may appoint, remunerate, and at their Pleasure remove, such Officers, Clerks, and Servants as they may deem needful for the Purposes thereof; and they shall cause proper Books of Account to be kept, containing accurate Statements of the Receipts and Expenditure touching the Railway, and connected with the Traffic thereon, as well as Books in which shall be entered the Minutes of all Proceedings at every Meeting of such Committee.

As to Disposal of Revenue.

7. The Committee shall receive all the Tolls, Rents, Rates, and Charges, and all other the Revenue arising out of the Railway and Stations, or connected therewith, and shall devote the same in the first instance to paying the Salaries, Charges, and Expenses incident to the Working, Control, Management, Maintenance, and Repair thereof, and the Balance of net Revenue remaining in the Hands of the Committee at the End of every Half Year, after making such Payments as aforesaid, shall be handed by them to the said Two Companies in equal Proportions: Provided that such Committee may account to the said Companies, either monthly or quarterly, for all Balances of net Profits; and provided also, that for the Purposes of such Account and Division the Proportion of all Through Traffic Receipts shall be calculated upon the maximum Charges allowed to be taken by this Act, or such other Sum as both Companies agree upon.

As to Expenses of managing Railway.

8. If the Revenue so coming to the Hands of the Committee and so calculated shall be insufficient for the Purpose of defraying the Expenses attending the general Management, Regulation, and Control of the said Railway, each of the said Two Companies shall from Time to Time, upon Demand thereof by the Committee, pay to the Committee the Amount declared by them due from the same Company, whether in anticipation of future Payments or in Liquidation of Payments already made, and the Proportion so due may be recovered from either of the said Companies, if unpaid for 14 Days after Demand thereof, in Writing, either by Action of Debt, or by Distress of any Chattels on the said Railway belonging to such Company; and for the Purpose of recovering any such Sum, the Secretary for the Time being of the Committee may sue in his own Name on behalf of the Committee, and it shall be sufficient to aver that the Sum claimed has been declared by the Committee or the Arbitrator to be due from the Company sued, and the Production of the Minute Books of the Committee containing such Declaration shall be sufficient Evidence of the Averment.

As to Funds for Construction, &c.

9. And in order to provide Funds for carrying on the Business of the Committee until adequate Revenue shall be derived from the Undertaking hereby authorized, and also Funds for the Purchase of Lands, and for the Construction of the Railway and Station, be it enacted as follows:—

The

The Committee shall from Time to Time, in a Minute of the Committee, estimate the Amount of Monies required by them for the above Purposes, and shall fix the Times at which such Monies are to be paid to their Bankers or Treasurer; and Copies of every such Minute, signed by the Chairman of the Meeting at which such Minute was made, and by the Clerk of the Committee, or by the Arbitrator and Clerk, shall be sent with all convenient Despatch to the Secretaries of the Sheffield Railway Company and of the Great Northern Railway Company, addressed to the principal Offices of the same Companies:

The said Companies shall, at the Time so fixed in the Minute, pay in equal Moieties to the Bankers or Treasurer of the Committee, the Amount specified in the Minute, and such Moieties shall be deemed Debts due from the Companies respectively to the Committee from the Day fixed for the Payment thereof, until the same shall be discharged:

If either of the Companies shall make default in such Payment the same Company shall be charged by the Committee, and shall pay to the Committee Interest at the rate of 10*l.* per Centum per Annum upon the Amount due from the same Company, to be calculated from the Day fixed for the Payment until the Day when the same is paid:

The Committee may recover from the Company in default the Monies so due by Action of Debt in any Court of competent Jurisdiction; and it shall be sufficient in any such Action for the Committee to produce its Minute Book containing the Estimate on which the Claim is founded, and to prove that a Copy of the said Minute, duly authenticated, was sent to the Secretary, addressed at the principal Office of the Company in default, and that the Sum mentioned in the said Minute has not been paid.

Actions, &c. with respect to Railway.

10. All Actions, Suits, Indictments, and other Proceedings at Law or in Equity, which might have been brought and prosecuted by or against either of the Companies, if that Company had been solely authorized to execute this Act, may, as regards any Act or Default of the Committee in relation to the Railway and Works by this Act authorized, or any Part thereof, or the Execution of this Act, be brought and prosecuted by or against the Committee; and any Summons, Demand, Writ, Notice, or other Proceeding at Law or in Equity, or otherwise relating in any Manner to the Railway and Works, or to any Act or Default of the Committee, shall, if served on the Secretary or any Member of the Committee, or if left at, or transmitted by Post to, the principal Office of the Committee, or of either of the Two Companies, be valid and effectual.

Certain Provisions of 8 & 9 Vict. c. 16. incorporated.

11. The following Sections of "The Companies Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act; and the Expression, "The Directors," in the said Sections mentioned, shall in this Act mean the said Committee;

Committee; and the Expression, "The Company," in the 100th Section, shall mean the Two Companies, or either of them:

Section 97, with respect to the making of Contracts;
Section 98, with respect to the Entry of Proceedings;
Section 99, with respect to Informalities in Appointment of Directors; and
Section 100, with respect to the personal Liability of Directors.
Sections 109 to 114, with respect to the Accountability of Officers of the Company;
Sections 142 to 160, with respect to the Recovery of Damages not specially provided for, and Penalties; and
Sections 161 and 162, with respect to Access to the Special Act:

Provided always, that any Contract which, according to the said 97th Section, ought to be made under Seal, shall be valid and effectual if made in the Name of the Committee, under the Hands and Seals of the Chairman of the Meeting of the Committee when such Contract was signed, and Two other Members of the Committee present at such Meeting.

Capital and Shares.

12. The Capital to be raised for the Purposes of this Act shall be 450,000*l.*, and the said Capital shall be contributed by the Two Companies in equal Proportions.

Power to Sheffield and Great Northern Companies to apply existing Funds to Purposes of Act.

13. It shall be lawful for the Sheffield Railway Company and the Great Northern Railway Company, or either of those Companies, to apply towards the Purposes of this Act any of the Monies which they are already respectively authorized to raise, and which are not and will not be required by them for any of the Purposes of their existing Acts.

Power to Companies to raise additional Capital.

14. Each of the Two Companies may from Time to Time raise for the Purposes of this Act (in addition to the Sums of Money which they are already respectively authorized to raise) any further Sums not exceeding in the whole 225,000*l.*, by the Creation of new Shares or Stock in their respective Undertakings, of such Amounts as will allow the same to be conveniently apportioned or disposed of according to the Resolution of any Ordinary or Extraordinary Meeting of that Company, and may from Time to Time, but subject to the Provisions of this Act, fix the Amounts and Times of Payment of the Calls on Shares or Stock created under the Powers of this Act, and dispose of such Shares or Stock on such Terms and Conditions as may be so resolved upon.

Privileges may be attached to new Shares, §§ 15 to 19.
Power to borrow 75,000*l.* each, §§ 20 to 23.
Power to make Railway according to deposited Plans, § 24.
Describing Railway, § 25.
Limit of Deviation not to extend into Sefton Street, or to include Premises numbered 1, 3, 4, 8, 9, and 10, on Plan, § 26.
As to Station Land at Childwall, § 27.
Lands for additional Stations, § 28.
Four Years for Completion of Works, §§ 29, 31.

Regulating Inclinations of certain Roads, § 30.
For authorizing Purchase from the Harrington Dock Company of their remaining Estate, § 32.
As to Disposal of Purchase Money, § 33.
Communication with Saint Helens Railway to be made under the Direction of the Engineer of London and North-western Railway, §§ 34 to 37.
Main Outlet Sewer at the Dingle not to be interfered with until a new and sufficient Outlet has been substituted, § 38.
Corporation to be repaid additional Cost, § 39.
Bridges to be constructed across the Railway, § 40.
New Station to be so constructed as that Carts, &c., may wait without unnecessarily obstructing the Streets, § 41.
Streets and Roads in the Borough of Liverpool not to be stopped up or acquired without Consent of the Council, § 42.
Certain Provisions of "Railways Clauses Consolidation Act, 1845," to apply to the Water Pipes of the Corporation of Liverpool, § 43.
Protecting Works of Toxteth Park Local Board, § 44.
Protecting Southwood Road Sewer, § 45.
Board may construct new Sewers, &c., § 46.
Saving Rights of Local Board, § 47.
Limiting the Land to be purchased from the Earl of Sefton, § 48.
Provision for Bridge at Lord Sefton's Jericho Estate, § 49.
Provisions for future Bridges, § 50.
For establishing a Passenger Station at Jericho, § 51.
Provision against establishing Goods Station at Jericho, § 52.
As to Tunnel to Beresford Road, § 53.
Saving the Rights of the Earl of Sefton, § 54.

Tolls.

55. It shall be lawful for the Committee to demand and receive any Tolls and Charges in respect of the Railway, not exceeding those which the Sheffield Railway Company are authorized to receive in respect of their Undertaking; and it shall not be lawful for the Company to take any maximum Rates of Charge greater than those which the same Company are entitled to demand and receive: Provided always, that notwithstanding anything in the Acts relating to the same Company contained, every Passenger travelling upon the Railway, or booked therefrom, may take with him his ordinary Luggage, not exceeding 100 Pounds in Weight for 2d Class Passengers, and 60 Pounds in Weight for 3d Class Passengers, without any Charge being made for the Carriage thereof; provided also, that such Tolls and Charges shall be calculated as though the Railway by this Act authorized and the Line of Railway from Garston to Warrington formed a continuous Railway of the Sheffield Railway Company and the Great Northern Railway Company.

Tolls for small Parcels.

56. And with respect to small Packages, be it enacted, That notwithstanding the Rate of Tolls prescribed by this Act, the Committee may lawfully demand Tolls not exceeding the following; that is to say,

For the Carriage on the Railways or any Part thereof of any Parcel not exceeding 14 Pounds in Weight, 4*d.*;

For the Carriage of any Parcel exceeding 14 Pounds but not exceeding 28 Pounds in Weight, 6*d.*;

For the Carriage of any Parcel exceeding 28 Pounds but not exceeding 56 Pounds in Weight, 9*d.*;

And for the Carriage of any Parcel exceeding 56 Pounds but not exceeding 500 Pounds in Weight the Committee may demand at the Rate of 3*d.* for every Quarter of a Ton beyond 56 Pounds:

Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages.

As to Use of Railway by Two Companies.

57. It shall be lawful for the Sheffield Railway Company and the Great Northern Railway Company, severally or jointly, to use the Railway, Station, and Works hereby authorized, as fully to all Intents and Purposes as if the same formed Part of the Undertaking of each of the said Companies; and the Company so using the Railway shall, out of the gross Receipts earned by the same Company for the Conveyance of Traffic using the Railway, pay to the Committee the maximum Tolls authorized to be taken for the Use of the Railway hereby authorized, or such other Sums as both Companies shall agree upon.

Companies may contract with each other.

58. It shall be lawful for the said Two Companies to enter into Contracts and Agreements from Time to Time touching any of the Matters herein-before provided for: Provided always, that no such Contract or Agreement shall prejudicially affect the Interests of the Public or of any Persons not Parties thereto, and that all Persons other than the said Parties thereto shall have the same Rights to the Use of the said Railway and upon the same Terms as they lawfully might if no such Contracts or Agreements have been entered into; and provided also, that no such Agreement shall be valid unless the same shall have been approved by the Board of Trade.

Power to use certain Portions of Railways.

59. The Sheffield Railway Company may pass over and use with their Engines and Carriages and Servants, and for the Purposes of Traffic of all Kinds, the following Railways, and, save as herein-after mentioned, the Stations, the Sidings, Watering Places, Buildings, Approaches, Works, and Conveniences at such Stations belonging thereto or connected therewith; and the London and North-western Railway Company, during their Possession of the said Saint Helens Railway, and afterwards the Saint Helens Canal and Railway Company, shall make all requisite Arrangements for that Purpose; namely,

So much of the Warrington and Stockport Railway as extends from the Junction of that Railway with the Manchester South Junction and Altrincham Railway to its Junction with the Saint Helens Railway at Warrington:

So much of the Saint Helens Railway as lies between the Junction therewith at Warrington of the Warrington and Stockport Railway and the Point where the Railway

by

by this Act authorized joins the Saint Helens Railway at Garston:

The Railway authorized to be constructed by "The London and North-western (Edgehill to Garston) Railway Act, 1859," but not any of the Stations connected therewith or with any other Part of the London and North-western Railway at Liverpool or Edgehill. 22 & 23 Vict. c. ii.

Terms of such Use.

60. The Terms, Conditions, and Regulations to which the Sheffield Railway Company shall be subject in respect of the said Use and Services and Accommodations, and the Tolls or other Consideration to be paid by them for the same, shall, if not agreed upon between them and the London and North-western Railway Company, be from Time to Time determined by an Arbitrator to be appointed by the Board of Trade, and the Decisions of such Arbitrator shall be binding and conclusive on all the Parties in difference, and the Costs and Expenses of such Arbitrator shall be defrayed as the Arbitrator shall direct; and either of the said Companies who shall refuse or neglect to perform, observe, and conform to any Decision given or Regulation made by any such Arbitrator in the Premises shall forfeit and pay to such Person or Company as the Arbitrator shall determine any Sum not exceeding 50*l.* for every such Offence, and 20*l.* for every Day during which such Offence shall continue.

Byelaws to be observed.

61. The Sheffield Railway Company in using or traversing the said Portions of Railway, and in using the Stations and Conveniences thereof, in accordance with the Provisions herein-before mentioned, and the London and North-western Railway Company in using the Railway of the Sheffield Company between Ardwick and Sheffield, and the Stations and Conveniences connected therewith in like Manner, shall at all Times observe the reasonable Regulations and Byelaws for the Time being in force on the Undertaking so used, so far as such Byelaws shall be applicable to them.

Reciprocal Powers to London and North-western Railway Company.

62. The London and North-western Railway Company may pass over and use with their Engines and Carriages and Servants, and for the Purposes of Traffic of all Kinds, so much of the Railway of the Sheffield Railway Company as lies between their Station at Ardwick and Sheffield (including their Stations at Sheffield, and all the Stations between Sheffield and Ardwick, and all Sidings, Watering Places, Buildings, and Appurtenances, Works and Conveniences, belonging to or connected with the said Portions of Railway and Stations respectively; and the Sheffield Railway Company shall make all requisite Arrangements for that Purpose), and the London and North-western Railway Company shall also have the like Power to use the Railway (except the Stations) by this Act authorized; the Terms and Conditions and Regulations to which the London and North-western Railway Company shall be subject in respect of the said Use and Services and Accommodations, and the Tolls or other Consideration to be paid by them for the same, shall, if not agreed between them and the Sheffield Company, be from Time to Time determined by an Arbitrator to be appointed by the Board of Trade, and the

Decisions of such Arbitrator shall be binding and conclusive on all the Parties in difference, and the Costs and Expenses of such Arbitrator shall be defrayed as the Arbitrator shall direct; and either of the said Companies who shall refuse or neglect to perform, observe, and conform to any Decision given or Regulation made by any such Arbitrator in the Premises shall forfeit and pay to such Person or Company, as the Arbitrator shall determine, any Sum not exceeding 50*l.* for every such Offence, and 20*l.* for every Day during which such Offence shall continue: Provided always, that in consideration of the Power by this Act granted to the Sheffield Railway Company to use the Warrington and Garston Railway, the Reversion whereof belongs to the Saint Helens Canal and Railway Company, it shall be lawful for such last-named Company, if and whensoever the Possession of the said Warrington and Garston Railway reverts to them, and during the Continuance of such Possession, to use the Railway by this Act authorized in the same Manner, on the same Terms, and subject to the same Regulations and Conditions as are provided by the 60th and 61st Sections of this Act with reference to the Use by the Sheffield Railway Company of the said Warrington and Garston Railway.

As to Conduct of Traffic by Sheffield and Great Northern Companies.

63. In respect to the Traffic of all Descriptions interchangeable between all Places on the respective Systems of the Sheffield and Great Northern Railway Companies respectively, on the one hand, and the Warrington and Timperley and Saint Helens Railways (between Warrington and Garston), and the Edge Hill and Garston Railway, and Liverpool and Places through Liverpool, and all Stations and Places on the aforesaid several Lines and the Line hereby authorized, on the other hand, the said Two Companies shall conduct the same Traffic efficiently and in good Faith the one towards the other, and in the event of an Arbitrator to be appointed under "The Railway Companies Arbitration Act, 1859," (and to whom shall be referred all Matters of Difference between such Two Companies,) deciding that either of such Companies is not so conducting the Traffic, it shall be lawful for the Great Northern Company, in the event of the Manchester, Sheffield, and Lincolnshire Company being so decided to be in default, to run with their own Engines and Carriages over the System of the Manchester, Sheffield, and Lincolnshire Company, West of Retford, and also over the aforesaid several Lines between Manchester and Garston, and Garston and Edge Hill, on Payment, as respects the Railways of the Great Northern and Manchester, Sheffield, and Lincolnshire Companies, of 80 per Cent. of the Mileage Proportion of the Through Receipts for Traffic, for the Distance actually traversed, after deducting the usual Clearing House Terminals and Government Duty on Passengers, and on Payment, as respects the Warrington and Stockport, Warrington and Garston, and Edge Hill and Garston Railways, on the Terms and subject to the Regulations and Conditions mentioned in Sections 60 and 61 of this Act; and it shall be lawful for the Manchester, Sheffield, and Lincolnshire Railway Company, in the event of the Great Northern

Northern Company being so decided to be in default, in like Manner and on like Terms to run over the Great Northern Company's Line from Retford to King's Cross; and in either such event the Company in default shall permit the other Company to have its own Carting Agents for all Descriptions of Traffic, and to do its own Traffic Work, at the Terminal Stations at Manchester and King's Cross, belonging respectively to the Manchester, Sheffield, and Lincolnshire, and Great Northern Companies; and provided that the said Great Northern Company shall not for any Purposes use or interfere with any of the Stations of the London and North-western Railway Company at Manchester or at Liverpool or at Edge Hill, or at any intermediate Place, or, except for Traffic carried by them, under this Provision, to or from some Place in the Great Northern Railway, or East of Sheffield, with any of the Stations of or connected with the Warrington and Stockport Railway, or the Warrington and Garston Railway, or the Garston and Edge Hill Railway.

Accommodation for London and North-western Company over Great Northern Lines.

64. In consideration of the Grant by the London and North-western Railway Company of such contingent Use of such Lines to the Great Northern Railway Company, be it enacted, That, as respects the Lines of the Great Northern Company between the London and North-western Company's Lines at and near Peterborough and the several Places herein-after mentioned; that is to say, York, Leeds, Wakefield, Doncaster, Sheffield, Lincoln, Nottingham, Stamford, Peterborough, Newark, Halifax, Bradford, Hull, Grimsby, New Holland, or Gainsborough; and as respects the present and future Stations, Works, and Conveniences of the Great Northern Company at those Places, the London and North-western Company shall, for the Purposes of all Traffic whatever, whether Passengers, Cattle, Goods, Minerals, or other Things, to or from the said several Places respectively, from Time to Time and at all Times hereafter have the Right to book and invoice through over the Great Northern Lines all such Traffic intended to pass to or from any present or future Line of the London and North-western Company, or any Place on or beyond such Lines; and the Great Northern Company shall, for and in respect of all such Traffic, at all Times afford to and for the London and North-western Company all needful Accommodations, Facilities, and Conveniences at, on, and over the Lines and Stations of the Great Northern Company, so far as they from Time to Time can reasonably be required to do by the Through Trains of the Great Northern Company, Through Booking, Through Rates, Through Waggons and Carriages; and shall, at all Times, in all respects, conduct, forward, carry on, and accommodate all such Traffic on equal Terms with and as well as if it were their own proper Through Traffic; and the Charge to the North-western Company shall in no Case exceed the Mileage Proportion of the Through Rates in respect of such Traffic, after Deduction of the usual Clearing House Terminal Charges on Goods and Government Duty on Passengers: Provided always, that the Rates and Charges shall be calculated as if the Traffic passed over the shortest Distance that

the Lines of the said Great Northern and London and North-western Companies in connexion, or either of them, would give; and out of such Charges the Great Northern Company shall receive its full Mileage Proportion of the Distance which the Traffic passing over their Railway has actually traversed, except with regard to non-competitive Traffic, as to which the Division of Receipts shall be according to the actual Distance travelled; and it shall be lawful for the said London and North-western Railway Company, if they think fit, from Time to Time, to have and employ at all or any of the said Places and Stations of the Great Northern Company, their own Booking and Invoicing Clerks, and Carting and other Agents, and for them the said Great Northern Railway Company shall provide all proper and needful Accommodations as before stipulated; and if any Dispute shall at any Time arise between the said Two Companies as to the Amounts to be allowed or charged by the one to the other for the Services and Accommodations aforesaid, or as to any Matter or Thing in this Provision mentioned, the same shall from Time to Time be settled by Arbitration in the Manner provided for the Settlement of Disputes by Arbitration by the "Railway Companies Arbitration Act, 1859;" and the Decisions of such Arbitrator shall be binding and conclusive on all the Parties in difference, and the Costs and Expenses of such Arbitrator shall be defrayed as the Arbitrator shall direct; and either of the said Companies who shall refuse or neglect to perform, observe, and conform to any Decision given or Regulation made by any such Arbitrator in the Premises shall forfeit and pay to such Person or Company as the Arbitrator shall determine any Sum not exceeding 50*l.* for every such Offence, and 20*l.* for every Day during which such Offence shall continue.

Cap. xxxvi.

"The Great Western Railway (Capital) Act, 1861."

Whereas by the several Acts relating to the Great Western Railway specified in Schedule (A.) to this Act, or some of them, the Great Western Railway Company have been authorized to construct or to purchase the several Lines of Railway and other Works in the said Acts mentioned, and for those Purposes have raised, by the Creation of Shares or Stock in the Company, Sums amounting to 12,591,010*l.*, which Amount has been fully expended in the Construction or Purchase of the said Undertakings and of the Stock necessary for the working of the said Railways: And whereas by the several Acts relating to the Birmingham and Oxford Junction Railway, and the Birmingham, Wolverhampton, and Dudley Railway, and to the Purchase of the said Two Undertakings by the Great Western Railway Company, specified in Schedule (B.) to this Act, the Company were authorized and required to purchase and pay for the said Two Undertakings, and were also empowered to construct and complete the same in manner therein mentioned, and to raise the Money necessary for those

Purposes

Purposes in Shares or Stock of the Company to the Amount of 3,121,250*l.*, which Sum has been fully expended for the same, and the Undertakings have been completed and purchased by the Company: And whereas by the several Acts relating to the Wilts, Somerset, and Weymouth Railway, specified in Schedule (C.) to this Act, the Company were empowered to construct and complete the Wilts, Somerset, and Weymouth Railway, and to raise the Money necessary for those Purposes in Shares or Stock of the Company, or by Annuities to the Amount of 1,750,000*l.*, which Sum has been fully expended, and the Undertaking has been completed and purchased by the Company: And whereas by the Act 17 & 18 Vict. c. ccxxii. the Shrewsbury and Chester and Shrewsbury and Birmingham Railway Companies were amalgamated with the Company upon the Terms and Conditions of Purchase specified in the said Act, and the Share Capital of the said Two Companies, amounting to the Sum of 2,605,787*l.*, thereby became and now forms Part of the Capital of the Company: And whereas the said several Sums before specified (the whole of which, except 227,562*l.*, has been raised), together with the Sum of 275,000*l.* authorized by the several Acts relating to the Metropolitan Railway and the West London Extension Railway to be contributed by the Company towards the Construction of those respective Undertakings, amount in the aggregate to 20,343,047*l.* (the Particulars of which are set forth in Schedule (D.) to this Act), and it is expedient to define and declare the Amount which the Great Western Company are authorized to raise by the Creation of Capital, in Shares or Stock, for the several Purposes aforesaid, and to provide further Powers in respect thereof: And whereas, in addition to the said Capital authorized in Shares or Stock, and to the Loans by Mortgage of the several Undertakings, not exceeding One Third of such Capital, as authorized by the recited Acts, (which Loans amounted on the 31st Day of December 1860 to 6,721,275*l.*,) the Company will require for the general Purposes of their Undertaking, and for increasing their Traffic, and for the more efficient working thereof, and for providing additional Stock, Rolling Plant, and other Accommodation, and for laying down on some Portions of their Undertaking Rails adapted to the Narrow Gauge in addition to the Broad, a further Capital of 1,000,000*l.*, and the Company, at a Special General Meeting thereof, have determined to apply to Parliament for Powers to raise the same as and when required: And whereas under the Provisions of the several Acts or some of them mentioned or referred to in Schedule (E.) to this Act, the Company were empowered to subscribe to the Extent mentioned in that Schedule towards the Undertakings in those Acts mentioned, and to raise the Amount of such Subscription by Guarantee thereof, or by the Creation of Capital in their own Undertaking, &c.

Undertakings of the Company to include purchased Undertakings.

2. The Undertaking of the Company shall be deemed to include the Great Western Railway, the Windsor Railway, the Birmingham and Oxford Junction Railway, the Birmingham, Wolverhampton, and Dudley Railway, the Wilts, Somerset,

Somerset, and Weymouth Railway, the Shrewsbury and Birmingham Railway, the Shrewsbury and Chester Railway, and all other Undertakings constructed or purchased by or amalgamated with the Company under the Powers of the recited Acts, or any of them.

Declaring present Capital and authorizing Shares or Stock for Amount not created.

3. The aggregate Capital which the Company are authorized to raise by the Creation of Shares or Stock, and to expend for the Purposes of their Undertaking as herein-before specified, and for the said Contributions of the Company to the West London Extension and Metropolitan Railways, (but exclusive of any Sum or Sums of Money which they may by any other Act of the present Session be authorized to raise,) is hereby declared to be 20,343,047*l.*, and the Company may from Time to Time create and issue Shares or Stock for so much of the said Capital as has not been raised by Shares or Stock of the Company.

Limiting Powers of existing Acts.

4. The Company shall not raise by Shares or Stock, or Guarantee under any Act passed prior to the present Session of Parliament (except the Acts mentioned or referred to in Schedule (E.) to this Act, the Powers whereof are hereby reserved to the Company, and may be exercised by them), any greater Sum than the said Sum of 20,343,047*l.*

Power to create new Shares or Stock for general Purposes.

5. In addition to the said Capital of 20,343,047*l.*, but exclusive as aforesaid, the Company, for the general Purposes of their Undertaking, as herein-before specified, and for increasing their Traffic and for the more efficient working thereof, and for providing additional Stock, Rolling Plant, and other Accommodation, and for laying down, on some Portions of their Undertaking, Rails adapted to the Narrow Gauge, in addition to the Broad, may from Time to Time raise, by the Creation of Shares or Stock in their Undertaking, such Sum or Sums of Money as they think fit, not exceeding in the whole 1,000,000*l.*, making the Share Capital of the Company under this Act 21,343,047*l.*, but no Portion of such Sum shall be raised without the Authority of a General or Special General Meeting of the Company.

Power to assign preferential Dividends in respect of Capital for raising Birmingham and Oxford, and Birmingham, Wolverhampton, and Dudley Railway Purchase Monies.

6. And whereas by the Act 11 & 12 Vict. c. clix. the Company were required to give Securities for the Purchase Monies of the Birmingham and Oxford Junction and Birmingham, Wolverhampton, and Dudley Railways, irrespective of the Sums required for the Construction and Completion of those Railways, which Purchase Monies amount to the Sum of 2,571,250*l.*, and it is expedient to provide for the Discharge of any such Securities from Time to Time by authorizing the Assignment of Preference Dividends to all or any Shares or Stock that may be created by the Company for raising the said Monies: Therefore the Company, with the Consent of Three Fifths of the Votes of the Shareholders of the Company present, personally or by Proxy, at a Meeting of the Company convened with special Notice of such Object, may assign to all or any Stock or Shares to be created by them for raising the said Purchase Monies such Amount of preferential Dividends as they think fit, not exceeding the Rate of 4*l.* 10*s.* per Cent. on the Amount of any such Stock, or on the Amount for the Time

Time being paid up on any such Shares: Provided, that the total Amount of Shares or Stock to be created for such Purpose shall not exceed the Sum of 2,571,250*l.*

Power to assign preferential Dividends on other Shares or Stock to be created under this Act.

7. The Company, with such Consent of their Shareholders as last aforesaid, may assign to any Stock or Shares which they may create under the Powers of this Act for raising any other Part of the said Capital of 21,343,047*l.*, and which may not have been raised by them at the Time of the passing of this Act, such Amount of preferential Dividends as they think fit, not exceeding 4*l.* 15*s.* per Cent. on the Amount of such Stock, or on the Amount for the Time being paid up on any such Shares; provided, that if in any Year ending the 31st Day of December there shall not be Profits of the Company available for the Payment of the whole of such preferential Dividends, the Deficiency shall not be made good out of the Profits of any subsequent Year, or out of any other Funds of the Company.

Confirming Preference on 175,000*l.*, Part of 275,000*l.*

8. And whereas for the Purpose of raising the said Sum of 275,000*l.* under the Acts relating to the Metropolitan Railway and the West London Extension Railway respectively, the Company created One Class of Shares or Stock for the whole of that Amount, and assigned preferential Dividends thereto at the Rate of 4*l.* 10*s.* per Cent., but as regards 175,000*l.*, Part of the said 275,000*l.*, such Assignment of preferential Dividends was made subject to the Approval of Parliament: Therefore such Assignment of preferential Dividend on the 175,000*l.* is hereby authorized and confirmed, and the preferential Dividends assigned to the Shares or Stock for raising all and every Part of the said Sum of 275,000*l.* shall have the same Priority in Payment of Dividends.

Power to create Shares for redeeming redeemable Shares or Stock.

9. The Company may from Time to Time raise by the Creation of Shares or Stock in their Undertaking such Sums as they may require for the Redemption of any Preference or guaranteed Shares or Stock which they may have Power to redeem, but the Amount of Shares or Stock to be created or appropriated for any such Purpose shall not exceed the Amount of the Shares or Stock so to be redeemed, and the Sums to be raised by every such Creation shall be applied in Payment of the Shares or Stock to be redeemed, and to no other Purpose.

Power to assign preferential Dividend in respect of Capital for redeeming Preference Stocks.

10. The Company, with such Consent of their Shareholders as aforesaid, may assign to all or any Stock to be created by them under the Powers of this Act for redeeming other Shares or Stock of the Company such Amount of preferential Dividends as they think fit, at any Rate per Centum per Annum upon the Amount of the Stock so created, or upon the Amount for the Time being paid up on the Shares so created, that shall be lower than the Rate per Centum per Annum of the preferential Dividends upon the Shares or Stock to be redeemed.

Power to cancel unissued Shares or Stock.

11. If the Company, after having created any Shares or Stock, determine not to issue the whole of the Shares or Stock so created, they may cancel the unissued Shares or Stock, and may from Time to Time thereafter create and issue instead thereof other Shares or Stock of an aggregate Amount not exceeding the aggregate Amount of the Shares or Stock so cancelled.

12. Any

As to Amount, Payment, and Disposal of Shares.

12. Any Shares, whether ordinary or preferential, which the Company may create under the Powers of this Act, shall be of such Amount each, and payable by such Instalments or Calls, and at such Periods, and be issued and disposed of in such Manner, and be redeemable or irredeemable, terminable or perpetual, and in other respects subject to such Terms and Conditions as the Company shall prescribe.

As to Stock.

13. Any Stock, whether ordinary or preferential, which the Company may create under the Powers of this Act, shall be issued and disposed of to such Persons, and in such Manner, and be redeemable or irredeemable, terminable or perpetual, and in other respects subject to such Terms and Conditions as the Company shall prescribe.

Shares and Stock to form Part of general Capital.

14. Subject to the Provisions of this Act, all Shares and Stock which the Company may create under the Powers of this Act shall form Part of the general Capital of the Company.

New Stock for redeeming other Stocks to have the same Preference, but in other Cases Rights of existing Preference Shareholders saved.

15. Any Shares or Stock created under the Powers of this Act for the Redemption of other Shares or Stock, and entitled to preferential Dividends at a lower Rate per Centum per Annum than the preferential Dividends upon the Shares or Stock to be redeemed, shall, as and when such last-mentioned Shares or Stock are paid off, have the same Priority in respect of Charge upon the Company's Revenues and Payment of preferential Dividends as the Shares or Stock redeemed thereby, but, except as aforesaid, no Preference or Guarantee of Dividend which may be granted by the Company under the Powers of this Act shall prejudice or affect any Preference or Priority in the Payment of Dividend or Interest on any other Shares or Stock which may have been granted by the Company in pursuance of or which may have been confirmed by any Act of Parliament previously passed, or which may otherwise be lawfully subsisting.

Power to convert Shares into Stock.

16. The Company may from Time to Time, with such Consent of the Shareholders of the Company as aforesaid, convert all or any Classes of Shares then existing in the Capital of the Company, and in respect whereof the whole Money subscribed shall have been paid up into Stock to be divided amongst the Shareholders according to their respective Interests therein.

Proprietors of Stock may transfer the same.

17. After such Conversion or Consolidation shall have taken place, all the Provisions of any Acts of Parliament which require or imply that the Capital of the Company shall be divided into Shares of any fixed Amount and distinguished by Numbers shall, as to so much of the Capital as shall have been so converted or consolidated into Stock, cease and be of no Effect, and the several Holders of such Stock may thenceforth transfer their respective Interests therein, or any Parts of such Interests, in the same Manner and subject to the same Regulations and Provisions as or according to which any Shares in the Capital of the Company may be transferred; and the Company shall cause an Entry to be made in some Book to be kept for that Purpose of every such Transfer.

Register of Stock.

18. The Company shall from Time to Time cause the Names of the several Parties who may be interested in any such Stock, with

with the Amount of the Interest therein possessed by them respectively, to be entered in a Book to be kept for the Purpose, and to be called "The Register of Holders of Stock," and such Book shall be accessible at all reasonable Times to the several Holders of such Stock.

Stock to retain Preference, &c.

19. The Stock into which any Shares shall be converted or consolidated under this Act shall entitle the Holders thereof, according to their respective Interests therein, to the same Amount of preferential Dividends as such Shares, and shall also entitle the Holders thereof to the same Preference and Priority in respect of the Payment of Dividends, and all other Rights and Privileges, as such Shares.

Power to borrow on Mortgage.

20. The Company, by Order of a General Meeting of the Shareholders, may from Time to Time borrow on Mortgage of their Undertaking such Sums as they think fit, not exceeding, inclusive of Mortgages granted by the Company before the passing of this Act, and for the Time being in force, and also inclusive of the Amount of any Mortgage Stock, and of the Amount represented by Mortgage Annuities, the Sum of 7,114,349*l.*, and such Power shall be in substitution for, and not in addition to, all other Powers of borrowing Money on Mortgage of the Company's Undertaking conferred by any Act relating to the Company.

Incorporating Provisions of "Companies Clauses Consolidation Act, 1845," as to Mortgages, § 21.
Former Mortgages to have Priority, § 22.
Saving Priorities of existing Preference Shareholders, § 23.

Conversion of Mortgage or Bond or Debt into Stock or perpetual Annuities.

24. It shall be lawful for the Company, from Time to Time, with the Consent of Three Fifths of the Votes of the Shareholders present, in Person or by Proxy, at any General Meeting of the Company convened with due Notice of that Object, to resolve that any Portion of the borrowed Capital of the Company, or any Debenture or other Security for which or for the Interest whereof the Company are lawfully liable, then subsisting on the Security of outstanding Mortgages or Bonds, not exceeding an Amount to be defined in and by such Resolution, may be converted either into Mortgage Stock of the Company of like Amount, with a fixed and perpetual irredeemable yearly Dividend or Interest attached, at any Rate not exceeding 4*l.* 10*s.* per Cent., or into Mortgage irredeemable Annuities at a Rate not exceeding 4*l.* 10*s.* per Cent., such Conversion to take place either by Agreement with the Holders of such Mortgages or Bonds respectively before the same respectively became due, or by paying off the same respectively when due, and creating and issuing such Stock or Annuities as aforesaid, instead of re-borrowing the Sums so paid off; and it shall thereupon be lawful for the Directors of the Company to carry into effect such Resolution or Resolutions by the Creation and Issue either of so much Stock having such fixed Rate of Interest or Dividend as aforesaid, or of such Annuities as aforesaid, as may from Time to Time be necessary for such Purpose, or partly by each of such Means, and the Stock or Annuities so respectively created

and

and issued shall be a Charge upon the Tolls and Undertaking, and Lands, Tenements, and Hereditaments of the Company, and the Interest or Dividend of the said Stock, and the Amount of the said Annuities, and all Arrears thereof respectively, shall respectively for ever have Priority of Payment over all other Dividends on any other Stock or Shares of the Company whatever, and the Stock and Annuities respectively when so created and issued shall be termed respectively Great Western Mortgage Stock or Great Western Mortgage Annuities (as the Case may be): Provided that nothing herein contained shall in anywise prejudice or affect the Rights of the Holders of then existing Mortgages or Bonds of the Company; provided also, that, after the Conversion of any such Mortgages or Bonds into Stock or Annuities, it shall not be lawful for the Company again to borrow the Sum so converted, or to issue Mortgages or Bonds or any other Securities in respect thereof, but the Powers of borrowing by the Company shall, to the Extent of the Sum so from Time to Time converted into Stock or Annuities, be extinguished.

As to Votes of Holders of Debenture Stock.

25. The Holders of the said Mortgage Stock or Mortgage irredeemable Annuities shall not be entitled to vote in the Affairs of the Company.

Transfer of Annuities.

26. The several Holders of any Annuities to be created under the Authority of this Act may transfer the Annuities for the Time being held by them, or any Part thereof, in the same Manner, and subject to the same Regulations and Provisions (mutatis mutandis), as or according to which the Capital Stock of the Company, or any Interest therein, may be transferred under the Provisions of the Act or Acts of the Company applicable thereto; and the Company shall cause an Entry to be made in some Book to be kept for that Purpose of every such Transfer, and for every such Entry they may demand any Sum not exceeding 2*s.* 6*d.*

Register of Holders of Annuities to be kept.

27. The Company shall from Time to Time cause the Names of the several Parties who may be entitled to any such Annuities as aforesaid, with the Amount thereof to which they are so respectively entitled, to be entered in a Book to be kept for that Purpose, to be called "The Register of Holders of Mortgage Annuities;" and such Book shall be accessible at all seasonable Times to every Mortgagee, Bondholder, Annuitant, or Share or Stock Holder of the Company.

Arrears of Dividend or Annuities may be enforced by Appointment of a Receiver.

28. If within 30 Days after the Dividend or Interest on any Mortgage Stock or (as the Case may be) any Annuity to be granted under the Authority of this Act shall have become due, and after Demand thereof in Writing the same be not paid, the Proprietor or Proprietors of such Stock holding individually or collectively an Amount in nominal Value of 100,000*l.* or upwards, or (as the Case may be) the Holder or Holders of any such Annuity or Annuities of the yearly Amount individually or collectively of 4,000*l.*, may, without Prejudice to his and their Right to sue for the Dividend or Interest, or (as the Case may be) the Annuity or Portion thereof so in arrear, in any Court of competent Jurisdiction, require

require the Appointment of a Receiver by an Application to be made as herein-after provided.
Appointment of a Receiver, § 29.

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

Great Western Railway Acts.

5th and 6th of William IV., Chapter 107.
7th of Victoria, Chapter 3.
9th of Victoria, Chapter 14.
10th and 11th of Victoria, Chapters 91 and 226.
11th and 12th of Victoria, Chapters 74, 133, 135, and 158.
15th and 16th of Victoria, Chapter 133.
16th and 17th of Victoria, Chapters 153 and 175.
17th and 18th of Victoria, Chapters 108 and 202.

SCHEDULE (B.)

Birmingham and Oxford Junction Railway and Birmingham, Wolverhampton, and Dudley Railway Acts.

9th and 10th of Victoria, Chapters 315, 337, and 338.
10th and 11th of Victoria, Chapters 149 and 226.
11th and 12th of Victoria, Chapter 159.

SCHEDULE (C.)

Wilts, Somerset, and Weymouth Railway Acts.

8th and 9th of Victoria, Chapter 53.
9th and 10th of Victoria, Chapter 313.
14th and 15th of Victoria, Chapter 48.
15th and 16th of Victoria, Chapter 140.

SCHEDULE (D.)

ORDINARY SHARE CAPITAL:		
Great Western Railway Consolidated Stock and Windsor Shares - -	£8,169,424	
Stour Valley Railway Stock - -	188,087	
		£8,357,511
PREFERENTIAL SHARE CAPITAL:		
Irredeemable:		
Great Western Railway proper,		
5 per Cent. - - - -	56,092	
4½ per Cent. - - - -	3,300	
4 per Cent. - - - -	2,167,100	
3 per Cent. - - - -	10,050	
Shrewsbury and Chester and Shrewsbury and Birmingham Railways,		
8 per Cent. - - - -	175,000	
6 per Cent. - - - -	155,000	
3½ per Cent. guaranteed - -	1,751,076	
		4,317,618
Redeemable - - - - - - - -		7,440,356
		20,115,485
Amount of Share Capital not raised -		227,562
		£20,343,047

SCHEDULE (E.)

The Cornwall Railway Act, 1846, and all other Acts relating to the Cornwall Railway, 75,000*l.*, of which the Sum of 60,000*l.* has been guaranteed.

The Oxford, Worcester, and Wolverhampton Railway Act, 1845, and all other Acts relating to the Oxford, Worcester, and Wolverhampton Railway, 850,000*l.*, of which the Sum of 181,500*l.* has been guaranteed.

The Plymouth Great Western Dock (Amendment) Act, 1848, 12,500*l.*, the whole of which has been guaranteed.

The South Devon Railway Act, 1844, (of which the Title is "An Act for making a Railway from Exeter to Plymouth, to be called 'The South Devon Railway Act;'") and all other Acts relating to the South Devon Railway, 225,000*l.*, the whole of which has been guaranteed.

The South Wales Railway Act, 1845, and all other Acts relating to the South Wales Railway, 600,000*l.*, of which the Sum of 581,000*l.* has been guaranteed, and a proportionate Amount of Preference Stock, of which 56,220*l.* has been guaranteed.

Cap. xxxvii.

"Lancashire and Yorkshire Railway (Capital) Act, 1861."

Proposes to enable the Lancashire and Yorkshire Railway Company to raise additional Capital for enabling them to lay down additional Lines of Rails on Portions of their Undertaking; for the Enlargement of existing and Construction of new Stations, Sidings, and other Accommodation, and for providing additional Rolling Stock, and for other general Purposes of their Undertaking, and to amend their Acts.

Power to raise 500,000*l.* by Shares, with a Preference not exceeding 5*l.* per Cent., §§ 3 to 6, and §§ 8 to 10.

Power to raise Capital under any other Act of this Session and this Act by new Shares of One Class, § 7.

Extending Period for Sale of superfluous Lands, § 11.

Cap. xxxviii.

"Price's Patent Candle Company's (Limited) Act, 1861."

Recites Incorporation in 1857, with a nominal Capital of 1,000,000*l.*, divided into 50,000 Shares of 20*l.* each, and with Power to borrow 100,000*l.* upon Mortgage or Bond, but subject to a Provision requiring the Company on or before the 26th Day of May 1861 to reduce their Debts on Mortgage or Bond to 50,000*l.*, and limiting their borrowing Power thenceforth to that reduced Amount; that having issued 37,500 Shares, and being unable to issue as ordinary Shares any Part of the Remainder of their Capital, they were by "Price's Patent Candle Company's (Limited) Act,

1859," empowered to issue Preference Shares in substitution for their unissued ordinary Capital, or any Part thereof; that in pursuance of the last-mentioned Act they duly resolved to issue 5,000 Shares of 20*l.* each, bearing Preference Dividends of Six per Centum per Annum, and 1,621 of such Shares have been issued and paid up in full, but the Company have been and are unable to issue any Part of the Residue thereof; that their issued Capital of the Company now amounts to 782,420*l.*, consisting of 37,500 ordinary Shares, which have been paid up in full, and 1,621 Preference Shares, which have also been paid up in full; that they are indebted on Bonds to nearly the full authorized Amount of 100,000*l.*, viz., to the Sum of 98,600*l.*; and it is expedient that the Period allowed to the Company for reducing their Debt to 50,000*l.* should be extended.

Provision reducing the Company's Borrowing Power after 26th May 1861, to 50,000*l.*, and granting an extended Period for such Reduction, repealed.

1. So much of the 19th Section of the first-recited Act as enacts that it shall be imperative upon the Company on or before the 26th Day of May 1861 to pay off so much of the Money then owing by them on Mortgage or Bond as should be in excess of 50,000*l.*, and that from and after that Day the total Amount borrowed by the Company at any One Time shall not exceed 50,000*l.*, shall cease to be obligatory upon the Company, but nevertheless it shall be imperative upon the Company on or before the 26th Day of May 1866 and they are hereby required to pay off so much of the Money then owing by them on Mortgage or Bond as shall be in excess of 50,000*l.*, and from and after that Day the total Amount borrowed by the Company at any One Time shall not exceed 50,000*l.*

After 26th May 1866 no Dividend to be paid on ordinary Shares while Debt exceeds 50,000*l.*

2. After the 26th Day of May 1866 no Dividend shall be paid on the ordinary Capital of the Company if and while the Company shall remain indebted on Mortgage or Bond to a total Amount exceeding 50,000*l.*

Until Debt reduced to 50,000*l.* Capital limited to 900,000*l.*

3. Until the Company's total Debt on Mortgage or Bond shall be reduced to 50,000*l.*, the total issued Share Capital of the Company shall not exceed 900,000*l.*

Cap. xxxix.

"The Haslingden Gasworks Act, 1861."

Recites that the Town and Neighbourhood of Haslingden in Lancashire are increasing in Population, and are now insufficiently lighted, and a Company has been formed under the Style of "The Haslingden Union Gas Company," for supplying with Gas the Inhabitants of the said Town and District; that a Company for supplying the Town of Haslingden with Gas was formed in the Year 1847 by a Deed of Settlement bearing Date the 31st Day of August 1847, and the same Company was completely registered on the 22d Day of May 1848 by the Style of "The Haslingden Gaslight and Coke Company;" that the Capital of the last-named Company consists of 1,005 Shares of 6*l.* each, whereof 662 have been paid in full, and upon the remaining 343 4*l.* per Share have been paid; and it is intended that

the remaining 2*l.* shall be forthwith called up and paid; that it has been agreed that the Two Companies should be united upon the Condition that the Shareholders in the last-named Company shall receive the Value of their existing Works, Property, and Effects, amounting to the Sum of 8,542*l.* 10*s.*, in the Shares of the United Company.

Incorporation of General Acts, § 1.
Limits of the Act, § 3.
Incorporation of new Company, § 4.
Purposes of the Company, § 5.
Effects, &c. of Haslingden Gas Company vested in the new Company, and saving of Rights and Liabilities, §§ 6 to 11.
Capital—1,005 Shares to Haslingden Gaslight and Coke Company, 503 further Shares to same Company, 1,401 Shares assigned to Haslingden Union Company, 1,091 remaining Shares to be disposed of by Directors according to the General Act, §§ 12 to 17.
Power to borrow 9,950*l.*, §§ 18, 19.
Directors, §§ 20, 21.
Meters; Penalties; Testing Clauses, §§ 25 to 38.

Cap. xl.

"The Northern Assurance Amendment Act, 1861."

Recites Formation of a Company under the Name of "The North of Scotland Fire and Life Assurance Company," by virtue of a certain Contract of Copartnery, bearing Date the 2d Day of June in the Year 1836, and various subsequent Dates, in order to carry on the Business of effecting Insurance of all Descriptions of Property against Loss or Damage by Fire, Assurances of single Lives, joint Lives, and Survivorships, the Purchase of Policies and Advances on their Security, the Purchase and Sale of Reversions, reversionary Interests, and Annuities, Endowments for Children, and such other Business as is generally carried on or transacted by similar Companies; that by Articles of Agreement and Deed of Accession to the said Contract of Copartnery, bearing Date the 1st Day of April, in the Year 1847, and various subsequent Dates, a certain other Assurance Company, carrying on Business in Glasgow under the Name of the Western Fire and Life Insurance Company of Scotland, was amalgamated with and merged in the said North of Scotland Fire and Life Assurance Company, which after the said Amalgamation carried on Business in Glasgow and certain other Places under the Name of "The North and West of Scotland Fire and Life Assurance Company;" that by 11 & 12 Vict. c. xlvi. the said Company was incorporated by the Name and Designation of "The Northern Assurance Company," and various Powers were conferred upon the said Company, and various Provisions made for the Conduct and Regulation of its Business and for other Matters relating thereto; that the Company has, since the passing of the said Act, constituted Local Boards and Agencies in various Places, pursuant to the Provisions of

the said Act, and has carried on Business through the Medium of such Local Boards and Agencies, and otherwise, in the United Kingdom and the Colonies and Dependencies thereof, and in various Foreign Countries and States; that under the Laws, or by the Custom and Practice of certain of the said Colonies, Dependencies, Foreign Countries, and States, Persons and Companies carrying on Business of Assurance are required to deposit or invest certain Sums of Money in the Names of Trustees, or otherwise, as a Security or Guarantee for the Fulfilment of their Engagements, and also to comply with other Regulations in force in such Colonies, Dependencies, Foreign Countries, and States respectively with reference to Persons and Companies respectively carrying on such Business as aforesaid; that the Powers of the said Company are not sufficient to enable them in all such Cases to make the required Deposit or Investment, or to comply with the specified Regulations, and the Powers of Investment of the said Company are otherwise insufficient; and that for the Purpose of the Colonial and Foreign Business of the said Company it is expedient that the Powers capable of being delegated to or conferred upon Local Boards and Agents should be enlarged, and that Provisions should be made for facilitating the granting of such Powers, and also for enabling the said Company, by such Local Boards and Agents or otherwise, more effectually to carry on Business in any of the Colonies or Dependencies of Great Britain, or in any Foreign Countries or States, in accordance with the Laws, Customs, and Institutions of such Colonies, Dependencies, Foreign Countries, and States respectively.

Power to make Deposits and Investments required by Law of Foreign Countries, § 1.

Powers to appoint Foreign Agents, and to delegate certain Powers to them, § 2.

Foreign Policies and Instruments need not bear the Common Seal, § 3.

Powers of Investment, § 4.

Power to vary Byelaws, § 5.

Provisions of existing Act and Deed to be in force, except so far as repealed, § 6.

Cap. xli.

"The Swansea Gas Act, 1861."

Recites that by 11 Geo. 4. c. xvii. the Swansea Gaslight Company were incorporated and authorized to light with Gas the Town of Swansea, with a Capital of 6,000*l.*, divided into 120 Shares of 50*l.* each, and with Power to raise any further Sum not exceeding 3,000*l.* by Mortgage; and they have further expended on their Undertaking Sums amounting in the whole to 29,000*l.*, or thereabouts, of which 21,000*l.* consisted of Profits of the Undertaking, and 8,000*l.* remain unpaid; that it is expedient that the Limits of the Company should be extended so as to include the Town

and Borough of Swansea, the Parish of Swansea (within and without that Borough), the Parish of Oystermouth, and all Places and Lands situate wholly or partly within One Mile of any Part of the Borough; and in order to enable the Company to pay off and discharge their existing Debts and Liabilities, and to meet the increased and increasing Demand for Gas, that the Company should be empowered to raise further and other Sums of Money, and that further and other Provisions should be made with reference to the Regulation and Augmentation of the Capital of the Company; and that the recited Act be repealed.

Recited Act repealed, § 1.

8 & 9 Vict. cc. 16. & 18. and 10 & 11 Vict. c. 15. incorporated, § 3.

Limits of Act, § 5.

Re-incorporation of Company, and saving Rights and Liabilities, §§ 6 to 16.

Capital, 100,000*l.* in 25*l.* Shares, § 17.

Allotment of 240 Shares, § 18.

Allotment of the remaining Shares, § 19.

New Shares to divide equally with the original Shares up to, but not exceeding, 7*l.* 10*s.* per Cent. per Annum, § 20.

Shares to be held upon the same Trusts, § 21.

Old Certificates to be delivered up, § 22.

Power to issue remaining Shares, § 23.

Three thousand two hundred and eighty new Shares, from Time to Time issued, to be sold by Auction, § 24.

Auctions to be advertised, § 25.

Application of Premiums, § 26.

General Power to dispose of new Shares, § 27.

Receipts for disqualified Persons, § 28.

Shareholders not disqualified from being or acting as Members of Town Council, or Local Board, or Harbour Trustees, § 29.

Power for Company to borrow to the Amount of One Fourth of paid up Capital, §§ 30 to 33.

Directors; Meetings, §§ 35 to 44.

Power to construct Works, § 45.

Power to lay Pipes under the Tawe, &c., § 46.

Plans to be deposited with Swansea Harbour Trustees before Commencement of Works across the Tawe, § 47.

Power to Company to lay Pipes for lighting Buildings, § 48.

Limit of the Price of Gas, § 49.

Compulsory Supply of Gas by the Company, § 50.

Company bound to supply Gas, § 51.

Quality of Company's Gas, and testing of, § 52 to 55.

Power to Company to require Consumers to consume Gas by Meter, § 56.

Meter Rents; Penalties, §§ 57 to 65.

Saving Rights of the Duke of Beaufort and of the Corporation of Swansea, §§ 66, 67.

Cap. xlii.

"The Liverpool Improvement Act, 1861."

Proposes to enable the Mayor, Aldermen, and Burgesses of the Borough of Liverpool to make new and widen existing Streets within the Borough.
Lands Clauses Consolidation Acts incorporated, § 2.
Service of Notice on the Corporation, § 3, 4.
Power to take Lands, &c., § 5, 6.
Alterations consequent on changing Levels of Streets to be made at Expense of Corporation, § 7.
Expense of Removal of Water Pipes to be paid by Corporation out of Monies raised under this Act, § 8.
Corporation to reinstate Pipes of Liverpool United Gaslight Company, § 9.
Erection or Alteration of Buildings fronting Streets to be according to such Elevation as the Corporation shall approve, § 10.
Corporation may sell or lease Lands not required for Purposes of Act, § 11.
Power for Corporation to levy an Improvement Rate, § 12.
Churches, Chapels, Schools, &c. not liable to be rated, § 13.
Provisions of "The Liverpool Improvement Act, 1858," as to Rates extended to this Act, § 14.
Power to borrow 130,000*l.*, § 15.
Provisions of "The Liverpool Improvement Act, 1858," as to Mortgages to apply to Mortgages under this Act, § 16.
Application of Monies, § 17.
When Purposes of Act effected, Improvement Rate to cease, § 18.
Accounts to be kept and audited, § 19.
Accounts to be made out annually and published, § 20.
Corporation may appoint Officers for Purposes of this Act, § 21.
Reserving Powers conferred by Municipal Corporation and other Acts, § 22.

Cap. xliii.

"The Newcastle-under-Lyme Marsh Lands Act, 1861."

Recites that by the Act 22 Geo. 3., c. 29., intituled "An "Act for inclosing and leasing a Piece of Waste Land "called The Marsh within the Parish and Borough of "Newcastle-under-Lyme in the County of Stafford, and "applying the Profits thereof in aid of the Poors Rates "of the said Parish and Borough," certain Persons therein named and their Successors, to be elected in manner hereinafter mentioned, were appointed Trustees for putting the said Act in execution, and a Piece of Waste Land in the said Parish and Borough of Newcastle-under-Lyme called "The Marsh," was vested in the said Trustees and their Successors for ever, with Powers to lease the same for any Term not exceeding 21 Years, at the greatest annual Rent that could be obtained for the same, and for the

Purpose of such leasing to divide the said Land into Lots; and the said Act directed that the Money arising under the said Act should be applied in paying the Costs thereof and the Charges of removing Encroachments and Nuisances upon the said Land and in levelling and improving the same, and that the Residue of the Money to arise under the said Act, after paying the Expense of executing the same, should be applied and disposed of by the said Trustees in the Relief and Maintenance of the Poor of the said Parish and Borough, and in aid and ease of the Poor Rates within the same, in such Manner as the said Rates are directed to be disposed of and applied; that by 22 Geo. 3. c. 10. additional Trustees were appointed, and the Trustees were empowered to lease the said Land, or any Part or Parts thereof, for any Term of Years not exceeding 200 Years, for the greatest annual Rent, or upon a small annual Rent, and for the best Price by way of Fine that could be reasonably had for the same, and for the Purpose of such leasing to divide the said Land into Lots; and the Second Act directed that no Lot should be leased for any longer Term than 21 Years in possession, unless the Lessee entered into Covenants to build on the Ground demised, within the Space of Five Years then next ensuing, a substantial Dwelling House of the Value of 200*l.* at least, exclusive of any Outbuilding on the same Land, according to such Plan and under such Covenants as should be settled by the Trustees; also to expend the like Sum of 200*l.* at least on every other Dwelling House at any Time during the said Term erected upon any Part of the Ground by such Lessee, exclusive of any Outbuildings to the same respectively; also that no such Dwelling House should be divided into Tenements of less Value than as aforesaid, nor any Part thereof underleased (except such Part should be of the Value of 200*l.* respectively), but that each Dwelling House that should be erected and occupied by a distinct Family should be of the full Value of 200*l.*; that at the Time of the passing of the said recited Acts the Borough of Newcastle-under-Lyme was co-extensive with the Parish of Newcastle-under-Lyme; that the Borough has since been extended beyond the said Parish by the Act 5 & 6 Will. 4. c. 76. for the Regulation of Municipal Corporations in England and Wales, but the extended Portion of the said Borough has no Interest in any Portion of the Rents of the Marsh Lands; that the Restrictions imposed by the Second Act are objectionable, and prevent the said Land being taken for building Purposes; that Part of the said Piece of Land called The Marsh was in or about the Year 1798 taken by the Newcastle-under-Lyme Junction Canal Company under the Authority of the Act of Parliament relating to that Company, and the Consideration therefor was a perpetual annual Rent of 5*l.* payable thereout, and such Land has since been taken from the said Canal Company by the North Staffordshire Railway Company under the Authority of the Acts of Parliament relating to that Company, and such Land is now used

for the Purposes of the Railway and Works of the last-mentioned Company, who are now entitled thereto in Fee Simple, subject to the said Rent; that other Part of the Freehold of the said Piece of Land called The Marsh, containing by Admeasurement 900 Square Yards, was some Years since exchanged by the Trustees acting under the said Acts with John Edensor Heathcote, Esquire, for another Piece of Land of the same Extent, also formerly Part of the said Piece of Land called The Marsh, but at the Time of such Exchange vested in the said John Edensor Heathcote in Fee, subject only to the Payment to the said Trustees of a perpetual annual Rent of 4*l.* 10*s.*, and the Consideration for such Exchange was the Discharge of the Land received by the Trustees in exchange from the Rent theretofore payable in respect thereof, and the Charge by the said John Edensor Heathcote of a perpetual annual Rent of the same Amount upon the Land received by him in exchange, and the said John Edensor Heathcote is now entitled to the Land so received by him, in Fee Simple, subject to the said Rent; that shortly after the making of such Exchange as last aforesaid the said North Staffordshire Railway Company, under the Powers of their said Acts, took from the said Trustees not only the said 900 Square Yards of Land so received by them in exchange as aforesaid, but also 1,500 Square Yards of Land adjoining thereto, also Part of the said Piece of Land called The Marsh, and the Consideration for the Land so taken by the said Company was a perpetual annual Rent of 12*l.*, and such Land is now used for the Railway and Works of the said Company, who are now entitled thereto, in Fee Simple, subject to the said Rent; that the said Piece of Land called The Marsh, exclusive of the Land so given by the said Trustees in exchange as aforesaid, and also of the said Land so taken by the said Company as aforesaid, contains 16 Acres 3 Roods and 3 Perches, and the same is divided as mentioned in the Schedule to this Act annexed; that the said Land could be made much more productive, and it would be of advantage to the said Parish if the Powers herein-after mentioned were vested in the Trustees, and it would be convenient in the Management of the Trust if the Trustees were incorporated and some of the Powers of the recited Acts amended and extended.

Repeal of Part of Second Act, § 3.

Repeal of Parts of both Acts as to Appointment of Trustees, § 4.

Number of Trustees, § 5.

First Trustees; Trustees incorporated, § 6.

Power to fill up Vacancies in Trustees, § 7.

Certain Provisions of "The Commissioners Clauses Act" incorporated, § 8.

Qualification of Trustees, § 9.

First Meeting of Trustees; Annual Meeting of Trustees, § 10.

Quorum of Meeting of Trustees, § 11.

Trustees need not hold Monthly Meetings or provide daily Attendance at their Office, § 12.
Lands in Schedule vested in Trustees, § 13.
Existing Leases, &c. to be binding on all Parties, § 14.
Evidence of Appointment of former Trustees, § 15.
Power to divide and sell or let Lands, § 16.
Rents may be apportioned, § 17.
Trustees may release Lessees from Restrictions contained in Leases under the Second Act, § 18.
If Trustees sell Reversion of any Lands, any Lessee of Marsh Lands may require the Trustees to sell the Reversion thereof, § 19.
Contracts, Sales, Leases, &c. may be made on such Terms as the Trustees think proper, but Leases not to be renewable, § 20.
Power to confirm defective Leases, § 21.
Memorandum of Execution of Counterpart endorsed on Lease sufficient Evidence, § 22.
Receipts of Trustees or Treasurer to be a Discharge for Principal Sums, § 23.
Receipts of Clerk or Collector to be a Discharge for Income, § 24.
Sales and Lettings to be made by Auction, of which Notice shall be given, § 25.
Sales and Lettings by private Contract, § 26.
Lands comprised in avoided Leases or Contracts may be let again, § 27.
Purchase Monies amounting to 200*l.* to be paid into the Bank until invested in other Lands, § 28.
In the meantime the Money may be invested, § 29.
Sums under 200*l.* to be paid to Trustees to Capital Account, § 30.
Certificate of the Accountant General, with the Receipt of One of the Cashiers of the Bank, to discharge Purchasers, § 31.
Monies to be carried to Capital and Income Accounts, § 32.
Application of Capital, § 33.
Application of Income, § 34.
Proceedings under this Act to bind all Parties interested, § 35.
General Saving of Rights, § 36.
Trustees may sell Lands to pay Expenses of Act, and in meantime may borrow Money for that Purpose, § 37.
Marsh Lands exempted from 5 & 6 Will. 4. c. 69., and subjected to Sect. 85. of 4 & 5 Will. 4. c. 76., § 38.
Schedule (Lands).

Cap. xliv.

"The Nantwich and Market Drayton Railway Act, 1861."

Proposes to make a Railway between the London and North-western Railway at Nantwich in the County of Chester and Market Drayton in the County of Salop; and to autho-

rize the London and North-western Railway Company to enter into Arrangements with the Company by this Act incorporated with respect to the working of the Railway, and the Division and Apportionment of Tolls, Fares, Rates, and Charges arising from such Traffic.
Incorporation of General Acts, §§ 2, 3.
Company incorporated with a Capital of 60,000*l.* in 10*l.* Shares and with Power to borrow 20,000*l.*, §§ 4 to 11.
Meetings; Directors, §§ 12 to 18.
Power to make and maintain Railway, § 19.
Two Years for compulsory Purchase of Lands, § 20.
Four Years for Completion of Works, §§ 21, 22.
Railway authorized, § 23.
Communication with the London and North-western Railway, §§ 24 to 28.
For Protection of Property of Shropshire Union Railways and Canal Company, §§ 29 to 32.
Tolls, §§ 33 to 40.
Power for Company and the North-western Company to agree for Purposes authorized, §§ 41 to 50.

Cap. xlv.

"Neath Water Supply Act, 1861."

Limits of Act, § 2.
Incorporation of General Acts, §§ 3 to 5.
Incorporation of Company with a Capital of 5,500*l.*, in Shares of 10*l.*, and with Power to borrow 1,300*l.*, §§ 6 to 13.
Meetings; Directors, &c., §§ 14 to 22.
Supply of Water; Rates; Penalties, §§ 23 to 42.
Contracts for supplying Water for public Purposes, § 43.
Power to sell and for Corporation to purchase the Undertaking of the Company, § 44.
Payment and Application of Purchase Money, § 45.
Time and Place of Payment to Shareholders, § 46.
On Payment of Purchase Money and Execution of Conveyance Property of Company to vest in Corporation, § 47.
When Waterworks are vested in Corporation, Powers of Company to be executed by Corporation, § 48.
Conveyances, &c., made in favour of, or by the Company, to operate in favour of or against the Corporation, § 49.
Things done or suffered before Purchase to remain valid, § 50.
Power to borrow Money on Security of the Rates, § 51.
Part of 10 & 11 Vict. c. 16. incorporated, § 52.
Power to levy Rate to secure Money borrowed, § 53.

Cap. xlvi.

"Dartmouth and Torbay Railway Act, 1861."

Recites Incorporation of Company in 1857 with Power to make a Railway, commencing by a Junction with the Torquay Branch of the South Devon Railway, and terminating in the Parish of Brixham at the Side of the River Dart near to Dartmouth; to establish and maintain a Ferry or Steam

Communication across the River between the Terminus of the Railway adjoining to the River and the other Side of the River at or near to Dartmouth; and to provide and use, within the Limits of the Ferry, Steam and other Vessels for the Purposes of the Ferry; and to enter into Arrangements with the South Devon and Great Western Railway Companies; that the Company are proceeding in the Execution of the Act; that they are authorized to raise a Capital of 90,000*l.*, by Shares, and to borrow on Mortgage not exceeding 30,000*l.*; that all the Shares have been taken, and 64,100*l.*, or thereabouts, has been paid up thereon; that as no Part of the First Call on 542 Shares has been paid, those Shares have been forfeited; and that the Company have borrowed 30,000*l.*; and it is expedient that they be authorized to raise further Monies.

Part of Companies Clauses Act incorporated, §§ 2, 3.

Power to raise 32,500*l.* additional Capital by new Shares, § 4.

Power to cancel forfeited Shares, §§ 5 to 9.

Power for Company to issue new Shares instead of forfeited and cancelled Shares, § 10.

New Shares may be of different Classes, and with a preferential Dividend not exceeding 6*l.* per Cent., §§ 11 to 20.

Power to borrow 10,800*l.*, §§ 21 to 23.

Power to create Debenture Stock, with a preferential Dividend not exceeding 5*l.* per Cent., §§ 24 to 29.

Cap. xlvii.

"The Northampton Waterworks Act, 1861."

Recites that the Northampton Waterworks Company was originally established by a Deed dated the 6th Day of October 1837 (as a Partnership not incorporated), with a Capital of 8,000*l.* in 2,000 Shares of 4*l.* each, and has been registered and incorporated under the Joint Stock Companies Acts, 1856 and 1857; that in their Memorandum of Association and Articles of Association annexed thereto it is provided that the Capital shall be the Sum of 40,000*l.* in 4,000 Shares of 10*l.* each; the whole of which has been subscribed for, and 22,000*l.* has been actually paid up, and the Works originally contemplated by the said Company have been completed, and subsequently greatly enlarged; proposes to increase the Supply of Water to the Town and to the several Parishes called Abington, Kingsthorpe, Dallington, Duston, Hardingstone, and the Hamlets, Townships, or Places called Cotton End, Far Cotton, and Saint James's End, all situate in the County of Northampton and adjacent to the said Borough of Northampton.

Incorporation of General Acts, §§ 1, 2.

Limits of Act, § 4.

Re-incorporation of Northampton Waterworks Company and Saving of Rights and Liabilities, §§ 5 to 11.

Capital 95,000*l.*, § 12.

Original Shares to form Part of Capital, §§ 13 to 15.

Power to raise the Remainder of the Capital by new Shares, §§ 16, 17.
New Shares not to be issued till original Shares fully paid up, § 18.
Power to borrow 4,000*l.*, § 19.
Meetings; Directors, §§ 21 to 30.
Company empowered to construct new Works, &c., § 32.
Certain Provisions of 10 Vict. c. 17. to extend to Turnpike Roads, &c., § 33.
Confirming Agreement with Corporation of Northampton, § 34.
Rents of Land to be First Charge, § 35.
Restrictions may be imposed upon Sale of superfluous Property, § 36.
Provisions for Conveyance of superfluous Property, § 37.
Gratuitous Supply of Water to public Tanks, &c., § 38.
Supply of Water for watering Roads and Streets, § 39.
Company to supply Water at reduced Rates to small Tenements when required by Local Board, § 40.
Local Board and Town Commissioners may contract with the Company, § 41.
Settlement of Disputes as to Supply for public Purposes, § 42.
Settlement of Disputes as to Supply for private Purposes, § 43.
Number and Expense of Fireplugs, § 44.
Penalty for removing Fire Plates, § 45.
Power to Local Authorities to investigate Accounts, § 46.
Supply of Water; Rates; Penalties, §§ 47 to 72.
Reservoir Provisions, §§ 73 to 83.

Cap. xlviii.

"The Baggymoor Drainage Act, 1861."

Recites that by an Act passed in the 17th Year of the Reign of His late Majesty King George the Third, intituled "An Act for dividing and inclosing the Moors, Commons, "or Waste Grounds within the Manors of Baschurch, "Hordley, Stanwardine-in-the-Wood, Weston Lullingfield, "and Stanwardine-in-the-Fields, or some of them, in the "County of Salop," it was recited that there were within the said Manors several Moors, Commons, or Waste Grounds, called Boggy Moor, otherwise Baggymoor or Bagley Marsh, Stanwardine Moor, Wicherley Moor, Weston Common, and Weston Moor, and other Waste Lands, containing by estimation 1,290 Acres or thereabouts; and that the said Moors, Commons, or Waste Grounds, and also several Freehold Lands near or adjoining to the same were, in their then Situation, subject to Inundations, and were frequently overflowed and incapable of any considerable Improvement; but it would be an Advantage to the several Persons interested therein if the same were divided, inclosed, and drained, and specific Shares of the said Moors, Commons, or Waste Grounds were allotted to each Person's Right and Interest

in and to the same; that by that Act Commissioners were appointed for dividing and allotting the said Moors, Commons, or Waste Grounds, and for carrying the several Purposes of the said Act into execution; and it was enacted that, as soon as conveniently might be after the passing of the said Act a Survey should be made of the said Moors, Commons, or Waste Grounds, and of the ancient inclosed Lands within the said several Manors belonging to all and every Person and Persons interested in the Moors, Commons, or Waste Grounds by the said Act intended to be divided and inclosed, and also of all and singular the Freehold Lands near or adjoining to the said Moors, Commons, or Waste Grounds which were subject to be damaged by Inundations, that should receive any Benefit by the passing of the said Act, which Survey, it was enacted, should be reduced into Writing, and the Number of Acres, Roods, and Perches belonging to each Proprietor therein set forth, ascertained, and declared; and it was also enacted that the same, when so made, should be laid before the Commissioners, and verified on Oath by the Person or Persons making the same; that the Commissioners were directed by the said Act, on the Completion by them of the Divisions and Allotments of the said Moors, Commons, or Waste Grounds in pursuance of the said Act, to form and draw up an Award and Instrument thereof, which should express and contain the Quantity or Number of Acres, Roods, and Perches contained in the said Moors, Commons, or Waste Grounds, and the Quantity and Contents of each and every Part and Parcel thereof assigned and allotted to each of the Parties interested in and entitled to the same, with a Description of the Situation, Buttals, and Boundaries thereof respectively, and with proper Orders and Directions for fencing and mounding the same, and for making and laying out proper Roads and Ways, as well public as private, in, through, and over the same; and in which said Award or Instrument should also be expressed and contained such other Orders, Regulations, and Determinations as should be proper and necessary to be inserted therein, conformable to the Intent and Purpose of the said Act, which said Award or Instrument, together with the Map or Plan of the Inclosures, should be fairly engrossed or written or drawn out on Parchment, and signed and sealed by the said Commissioners, or any Two of them, and should within Six Calendar Months after the same should be signed and sealed as aforesaid be enrolled by the Clerk of the Peace for the County of Salop, or in One of Her Majesty's Courts of Record at Westminster, to the end Recourse might be had to the same by all Persons interested in the said Division and Inclosure, for his, her, or their Inspection and Perusal; and it was by the said Act enacted that the several Divisions and Allotments to be made in and by such Award or Instrument so executed and enrolled as aforesaid should be and they were thereby declared to be binding and conclusive unto and upon all and every the Parties interested in or entitled unto the several and respective

Lands and Grounds so intended to be divided and inclosed as aforesaid; that an Award was made on the 14th Day of March 1783 in manner prescribed by the said Act, and duly enrolled; that after a Recital in the said Act to the Effect that the then Course of the River Perry, which in a Portion of its Course divides the Parishes of Baschurch and Hordley from the Parishes of Baschurch and West Felton, was very crooked and angular, by means whereof, and of certain Shoals and Erections obstructing the free Passage of the Water, a considerable Part of the said Moors or Commons or Waste Grounds, and of the inclosed Lands on each Side of the said River, were frequently subject to be overflowed, and that it would be a mutual Benefit and Advantage to the Proprietors of Allotments to be set out in pursuance of the said Act, and to the Owners of the said inclosed Lands, if the Course of the same was made straighter, and such Shoals and Obstructions removed, which would be the Means of draining and preserving the said Allotments and Lands then already inclosed, and of preventing in a great Degree, if not entirely, their being overflowed, Powers were thereby granted to the said Commissioners to treat with the respective Owners or Proprietors of Lands in the Parishes of Ruyton (otherwise Ruyton-of-the-Eleven-Towns), West Felton, Hordley, and Baschurch, as well for the Purchase or Exchange of so much of the Lands abutting upon the said River Perry as they should adjudge necessary for straightening the Course or Passage of the Water for the Purpose of draining and preserving the said Moors, Commons, or Waste Grounds, by the said Act intended to be divided and inclosed, and the inclosed Lands adjoining to the River on each Side thereof, as for the Expenses attending the same; that after a Recital that it might be necessary, for the Purpose of acquiring a sufficient Fall of Water for the effectual draining and preserving the said Moors, Commons, or Waste Grounds and the inclosed Lands adjoining to the River Perry, to take down and remove the Dwelling House called Wikey's Wear, and certain Mills called the "Ruyton Mill" and the "Plat (now called Platt) Mill," the said Commissioners were by the said Act empowered to treat, contract, and agree with the several Owners or Proprietors of or Persons interested in Wikey's Wear aforesaid, and in the said Mills called "Ruyton Mill" and the "Platt Mill," for taking down the same or such of them as they should adjudge necessary for carrying the Purposes of the said Act into execution, and to scour, alter, and convert into a more direct Line and enlarge the Course of the said River Perry, and to make such Ditches, Drains, Watercourses, Cloughs, Stanches, Sluices, Bridges, or other Works, as well in and over the same, as in, through, or over the Moors, Commons, or Waste Grounds by the said Act intended to be divided and inclosed as aforesaid; and any ancient Inclosures or other Lands or Grounds within the said Parishes of Baschurch, Ruyton-of-the-Eleven-Towns, West Felton, Hordley, and Ellesmere, near

or adjoining to the said Moors, Commons, or Waste Grounds, as they should judge necessary for the effectual draining and preserving the said Lands and Grounds, and for the convenient Use and Occupation of the same, making Satisfaction by allotting such Parts and Proportions of the said Moors, Commons, or Waste Grounds to the Proprietors of such Dwelling House, Mills, and ancient Inclosures for so doing as the said Commissioners and such Proprietors should determine and agree upon; and the said Commissioners were, by the said Act, required in and by their said Award to direct and appoint by whom, at whose Expense, at what Times, and in what Manner the several Works aforesaid should be made, and thereafter repaired, cleansed, scoured, and maintained; that the Commissioners, in pursuance of the said Act, removed some of the Obstructions in the River Perry, constructed various Dams and Embankments, and executed other Works with the View of improving the Passage of the Water of the said River and the Drainage of the Lands adjacent thereto; and they did by their said Award make various Orders, imposing upon the Owners of the Lands adjoining the said River and Drains the Burden and Charge of making and keeping in Repair the Banks and other Works necessary for keeping the said River in its Course, and for cleansing and scouring the said River and Drains; but they did not remove the said Mill called the "Platt Mill," nor a certain Wear in connexion therewith, called the "Platt Mill Wear," across the said River, nor entirely remove Two other Wears or Fords, called "Ruyton Wear" or "Ford" and "Wikey's Wear" or "Ford," nor sufficiently straighten the Channel of the said River within the Limits of the said Act where it is most crooked and irregular, and consequently no sufficient Outfall for the Drainage of the said Lands has ever been established, and a proper Passage for the Flow of the Waters of the said River has not been made; that the Lands and Grounds divided and inclosed as aforesaid, and the other Lands intended to be benefited by the Operation of the said recited Act, have been brought into Cultivation, but the same are now and have for many Years past been liable to be overflowed in consequence of the Obstructions still existing within the said River, and the Want of a straight and direct Channel for the Waters of the same as aforesaid, whereby the Improvement of the said Lands has been greatly impeded, and the Health of the Inhabitants of the District on either Side of the said River has been greatly injured; and whereas it is expedient that Powers should be granted for further draining, improving, and preserving the Lands inclosed under the said recited Act, or which were benefited or intended to have been benefited under the Powers and Provisions thereof; that it is expedient that the said Wear across the River Perry, now called the "Platt Mill Wear," and the before-mentioned Wears or Fords across the same River, called respectively "Ruyton Wear" or "Ford" and "Wikey, otherwise Wikey's Wear" or "Ford," situate

in the said Parishes of Ruyton-of-the-Eleven-Towns and Baschurch, or One of them, in the County of Salop, should be altered or removed; and that the said River Perry should be altered, deepened, widened, straightened, scoured, diverted, and otherwise improved between a certain Bridge across the same, situate in the said Parishes of Baschurch and Ruyton-of-the-Eleven-Towns, or One of them, Five hundred Yards or thereabouts below the said Platt Mill Wear, and called the "Platt Mill Bridge," and a certain other Bridge across the said River, called "Rednall Mill Bridge," situate in the Parishes of West Felton and Hordley, or One of them, in the County of Salop; and that a new Cut or Channel should be made and maintained for carrying the said River in a more direct Course for a Portion of the Distance between the Points aforesaid, as hereinafter authorized; and that the Powers of the said Act should be enlarged.

Incorporation of Part of Railways Clauses Act, §§ 3, 4.
Limits of Act, § 5.
Commissioners incorporated, § 6.
Incorporation of Portion of Commissioners Clauses Act, 1847, § 7.
Qualification of Commissioners; Meetings, §§ 8 to 21.
Incorporation of Lands Clauses Consolidation Act, 1845, § 22.
Power to deepen and improve River Perry between Rednall Mill Bridge and Platt Mill Bridge, § 23.
Powers to make new Channel for River Perry, §§ 24, 25.
Power to set out Works of new Cut, § 26.
Commissioners empowered to deviate from Plan to a certain Extent, § 27.
Three Years for Purchase of Lands and Five Years for Execution of Works, § 28.
Soil of old Bed of River to become the Property of adjoining Owners, § 29.
General Powers to drain and improve Lands within Limits of Act, § 30.
Power to enter Lands to make Survey for additional Works, § 31.
Commissioners may remove Obstructions, § 32.
Penalty on Persons refusing or neglecting to remove Obstructions, § 33.
Commissioners to cut Weeds and scour River and Main Drain No. 7 at least Four Times a Year, § 34.
Commissioners to dredge and scour other Drains, &c., § 35.
Penalty on Neglect, § 36.
Commissioners and other Persons to pass along the Lands adjoining the Works, § 37.
Penalty on Persons damaging or destroying the Works, § 38.
If Ditches filled up, Fences to be made, § 39.
Bridges or Fords to be made over River or Drains where Passage to Land is obstructed, § 40.
Provision as to new Bridge, § 41.
Indemnity to Proprietors of Lands from Injury by Breach in the Banks or from Inundation, § 42.

Commissioners to ascertain Expenses of Act and permanent Works, § 43.
Commissioners to make an Assessment of same according to Benefits conferred, § 44.
Appeal against Scheme of Assessment, § 45.
Parties may appeal to Commissioners, § 46.
Parties may appeal to the Quarter Sessions against the Assessment, § 47.
Quarter Sessions to hear Appeal, whose Decision shall be final, § 48.
Order of Court not to be removed by Certiorari, § 49.
Assessment to be filed when settled, § 50.
Commissioners to make other Assessments annually, § 51.
Application of annual Rates, § 52.
Tenants to pay Rates and deduct same from their Rents, § 53.
Persons refusing to pay Rates, Money may be levied by Distress, § 54.
Recovery of Assessments on Lands untenanted, § 55.
Power to borrow 4,000*l.* for general Purposes of Act, § 56.
Power to borrow Money and pay off former Mortgages, 57.
Persons having limited Interest may raise Money by Mortgage for Expenses, § 58.
Mortgages may be assigned, § 59.
Application of Penalties, § 60.
Penalties to be sued for within Six Months, § 61.
Damages to be made good in addition to Penalty, § 62.
Annual Account to be prepared and transmitted to Clerk of Peace, and open to Inspection, § 63.

Cap. xlix.

"The Kilkenny Markets Act, 1861."

Recites that the Mayor, Aldermen, and Burgesses of Kilkenny are or claim to be the Owners of all the Markets in the City of Kilkenny, except the Meat Market held in High Street in that City; that the present Markets for the Sale of Corn and other Agricultural Produce in the City of Kilkenny are insufficient for the Requirements of the Inhabitants of the said City, and a General Market for the Sale of Meat, Fish, Poultry, Game, Butter, Eggs, Bacon, Corn, Grain, Turnips, Fruit, and other Agricultural and Garden Produce, and other marketable Commodities, is much required; that several of the above-mentioned Articles are sold in the public Streets in that City, to the great Inconvenience and Annoyance of the Inhabitants thereof and of Persons resorting thereto from the Neighbourhood of the City; and it is expedient that the Sale of all such Articles on the public Streets in the said City should be prohibited; that it would be advantageous to the Inhabitants of the said City and its Vicinity if the Corporation were empowered to erect One new General Market in the said City, and if the whole of the Markets were placed under their Control and Management; and it would tend to prevent Disputes and to establish Confidence between Buyers and Sellers in the

said Markets if proper and sufficient Means were provided for weighing and measuring all Things sold therein by Weight and Measure; and it is expedient that the Corporation should be empowered to purchase the said Meat Market from the Owners thereof; and to borrow Money for the above Purposes.

Laws now in force to be applicable to Markets, § 3.

Incorporation of Lands, Markets, and Fairs, and Parts of Commissioners Clauses Acts, §§ 4 to 7.

Limits of Act, § 8.

Execution of Act by Corporation, § 9.

Officers; Byelaws, §§ 10 to 13.

Compulsory Power to take Lands for General Market, §§ 14 to 16.

Three Years for compulsory Purchase of Land, § 17.

Five Years for Completion of Works, § 18.

Power to purchase other Lands by Agreement, § 19.

Lands acquired by Corporation to be vested in them, § 20.

No Land to be taken by the Corporation outside Boundary of Borough, § 21.

Lands for extraordinary Purposes, § 22.

Corporation authorized to sell surplus Land and Premises, § 23.

Power to take existing Market, making Compensation for the same, § 24.

Power to Owner of private Market to continue the same until Purchase thereof by the Corporation, § 25.

Power to enlarge Market Places from Time to Time, § 26.

Present Markets to be removed when new General Market completed, § 27.

When General Market opened, Corporation may remove Stalls, &c., from public Places, § 28.

Slaughter-houses, § 29.

After General Market is opened, no Person, except a licensed Hawker, &c., to sell Articles in Streets within Limits of Act, § 30.

All Articles to be weighed at the public Weighing Places, § 31.

Power to take Tolls, § 32.

Tolls for weighing and measuring, Schedule (F.), § 33.

Slaughter-house Tolls, Schedule (E.), § 34.

Tolls vested in Corporation, § 35.

Rents for the Deposit of Articles unsold, § 36.

All Butter brought for Sale to be inspected previous to Sale, § 37.

All Monies to be paid weekly into a Bank at Kilkenny, § 38.

Application of Monies arising from Tolls, &c. under this Act, § 39.

Books to be kept of Receipts and Disbursements, § 40.

The Corporation to balance and examine their Accounts half-yearly, § 41.

Accounts to be examined and settled at the Half-yearly Meeting, § 42.

Auditors to be appointed, § 43.

Auditors to inspect Accounts, and may appeal against the same if they think fit, § 44.
Court may order Payment of the Costs of the Appeal, which shall be final, § 45.
Yearly Abstract to be prepared, § 46.
Damages, &c. to be levied by Distress, § 47.
Not to affect the Mayor's Dues, § 48.
Power to borrow 10,000*l.*, §§ 50 to 55.
Schedules (Form ; Rents and Tolls).

Cap. l.

"Lancashire and Yorkshire Railway (Dewsbury, &c. Branches) Act, 1861."

Recites that by an Act of 1859 the Undertakings of the Lancashire and Yorkshire and East Lancashire Railway Companies were amalgamated ; proposes to enable the Company to construct Branch Railways to Dewsbury, Heckmondwike, and Meltham, in the West Riding of the County of York ; to enlarge their existing Station at Rochdale and Miles Platting, and to raise further Monies.
Incorporation of General Acts, § 3, 4.
Power to take Lands, § 5.
Power to make Railways, &c., § 6.
Power to alter Engineering Works, § 7.
As to Bridge over the River Calder at Dewsbury, § 8.
Company to make Carriage Approach to the House of Bentley Shaw, Esq., § 9.
For Protection of the Trustees of the Worsley Estate, § 10.
Provisions as to Bridge over Milnrow Road, § 12 to 14.
Power to construct Bridge over Collyhurst Street, Manchester, § 15.
Three Years for compulsory Purchase of Lands, § 16.
Five Years for Completion of Railways, § 17, 18.
Tolls, § 19.
Power to raise additional Money, § 20.
Additional Sum of 173,000*l.* may be raised by Preference Shares at 5*l.* per Cent., §§ 21 to 26.
Power to borrow 57,600*l.*, §§ 27 to 29.

Cap. li.

"The Llantrissant and Taff Vale Junction Railway Act, 1861."

Proposes the making of a Railway from the Taff Vale Railway, in the Parish of Lantwit Vardre, in the County of Glamorgan, to near Llantrissant ; recites that a large Portion of a certain private Railway, called "The Lantwit Vardre Railway," is included within the Limits of Deviation marked upon the Plans deposited as herein-after mentioned, and it is expedient that the Company should be enabled to purchase the said private Railway, and to alter and adapt

the same to such Extent as may be desirable; that it is expedient that the Taff Vale Railway Company be authorized to contribute towards the Funds of the Company by this Act incorporated and to vote at Meetings thereof; and that the Company and the Taff Vale Company should be authorized to enter into Agreements for working the Traffic on the Railways by this Act authorized with the Engines and Carriages of the Taff Vale Company; that the Ely Valley Railway Company and the Taff Vale Company are in this Act called "The Two Companies;" that it is expedient that the Company on the one hand, and the Two Companies or either of the Two Companies on the other hand, should be authorized to enter into Agreements with respect to the Traffic of the Companies Parties to any such Agreement, and the Division and Apportionment of the Tolls and Charges arising therefrom; and to provide, as herein-after mentioned, with respect to the laying down a Third Rail upon a Portion of the Mwyndy Branch of the Ely Valley Railway, so as to adapt the same for the Passage of Engines and Carriages as well of the Narrow Gauge of Four Feet Eight and a Half Inches as of the Broad Gauge of Seven Feet, and with respect to the Use by the Company, or their Lessees or Assigns, of the Portion of the said Mwyndy Branch Railway on which the mixed Gauge shall be so laid.

Incorporation of General Acts, § 2.

Company incorporated with a Capital of 40,000*l.*, and Power to borrow 13,000*l.*, §§ 3 to 10.

Meetings; Directors, §§ 11 to 18.

Power to make Railways, § 19, 20.

Power to purchase the Llantwit Vardre Railway, § 21.

Unless the Llantwit Vardre Railway is purchased by Agreement, it is not to be stopped up, § 22.

Three Years for compulsory Purchase of Lands, § 23.

Five Years for Completion of Works, §§ 24, 30.

Purchase of Lands for additional Stations, &c., § 25.

Junctions with Taff Vale and Ely Valley Railways, §§ 26 to 29.

Tolls, §§ 31 to 38.

Power for Taff Vale Company to contribute 13,000*l.*, §§ 39 to 41.

Nominees of Taff Vale Company to vote at Meetings of Company, §§ 42 to 44.

Power to enter into Working Agreements with the Taff Vale Company, §§ 45 to 53.

Power to lay down a Third Rail on a Portion of the Mwyndy Branch, so as to adapt the same for Narrow as well as Broad Gauge, § 54.

Power to use the Portion of the Mwyndy Branch Railway on which the Third Rail is laid, § 55.

Tolls to be paid on Mwyndy Branch, § 56.

Penalty on Persons on Foot using the Railway, § 57.

Cap. lii.

"The Newgate Market Abolition Act, 1861."

Whereas by an Act passed in the Twenty-second Year of the Reign of King Charles the Second, Chapter Eleven, intituled "An additional Act for rebuilding the City of "London, uniting of Parishes, and rebuilding of the Cathedral "and Parish Churches within the said City," it was enacted, that for ever thereafter the Mayor and Commonalty and Citizens of London might and should have a Market to be kept Three or Four Days in the Week as to them should seem convenient, upon the Ground then set out by the Dean and Chapter of the Cathedral Church of Saint Paul, London, for a Market Place within Newgate, and that the said Dean and Chapter should make and give One or more Lease or Leases of the said Ground to the said Mayor and Commonalty and Citizens, and also of the Wall of the said Churchyard abutting severally upon Paternoster Row and the Old Change (which Wall is not contiguous to Newgate Market) for the Term of Forty Years, reserving the yearly Rent of Four Pounds for the Ground of the said Market Place, and Twopence for every Superficial Foot of the Ground or Soil of the said Wall as it was then set out by the Surveyors of the City and of the said Dean and Chapter; and so from Forty Years to Forty Years for ever and at the like yearly Rent, and One Year's Rent after the Rates aforesaid to be paid by way of Fine for each of the said Grounds respectively upon the making every new Lease thereof, which said Lease and Leases should be good and effectual in the Law as against the said Dean and Chapter and their Successors, and all Persons claiming by, from, or under them; and that no House, Shed, or other Building should stand or thereafter be erected and fixed upon the said Market Place other than the Market House already built without the Consent of the said Dean and Chapter, anything in the said Act or any other Act to the contrary notwithstanding: And whereas the Site of the Market held under the Authority of the said Act is small and confined, and wholly inadequate to supply the Accommodation required to meet the Wants of the increased and rapidly increasing Population of the Metropolis, and from the inconvenient Situation of the said Market, and from the Narrowness of the surrounding Lanes and Streets, and other Approaches thereto, which are crowded with Shambles and Slaughter-houses and Salesmen's Shops, Nuisances and Obstructions have been created in the Centre of the City which ought to be removed: And whereas by "The Metropolitan Cattle Market Act, 1851," Provision was made for erecting Slaughter-houses to serve the public Markets of London upon an open Space close to the Cattle Market, and at a proper Distance from any Dwelling Houses or Shops: And whereas by "The Metropolitan Meat and Poultry Market Act, 1860," the Mayor and Commonalty and Citizens of the City of London were empowered to erect commodious Meat and Poultry Markets, with spacious surrounding Streets, near to the ancient Site of Smithfield: And

whereas

whereas by some of the Acts relating to the Metropolitan Railway Authority was given to connect, by means of a Railway, the Slaughter-houses at the Cattle Market with the proposed Meat and Poultry Market, so that Animals brought by the Provincial Lines of Railway to the Market might be slaughtered and conveyed to the Place of ultimate Sale without traversing the Streets of London: And whereas it is expedient that the said Market, commonly called Newgate Market, should be dismarketed, and the ancient Site thereof sold and disposed of, and that Dwelling Houses and Shops and other Buildings should be erected thereon, and that Facilities should be given for the Removal of the Shambles and Slaughter-houses and other Nuisances and Obstructions in the Vicinity of the said Market: And whereas it is expedient that if the Tolls granted by "The Metropolitan Meat and Poultry Market Act, 1860," at the End of Five Years from the opening of the said Market shall prove insufficient for the Purposes specified in the said Act and this Act, they should be increased.

Incorporation of Lands Clauses Act, except its compulsory Powers, § 3.

7 & 8 Vict. c. 84. incorporated.

4. Such and so many of the Clauses and Provisions contained in the Act passed in the Session of Parliament holden in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled "An Act for regulating the Construction "and the Use of Buildings in the Metropolis and its Neigh- "bourhood," as relate to the Removal of Slaughter-houses and other Nuisance Trades, shall be incorporated with and form Part of this Act, and may be put in force within the Parishes of Saint Faith's under Saint Paul's, and Christchurch, in the City of London, the Common Council being for the Purposes of the said Act deemed to be the Persons authorized to present a Memorial to Her Majesty in Council.

Newgate Market to be discontinued when the Metropolitan Meat and Poultry Market is opened.

5. When and as soon as the Market for the Sale of Meat and Poultry by "The Metropolitan Meat and Poultry Market Act, 1860," authorized to be erected on the Site of Part of Smithfield shall be ready to be opened for the Use of the Public, the Common Council shall fix a Day for the opening of the said Market, and by a Notice under the Hand of the Town Clerk of the City of London for the Time being, to be published in the London Gazette, notify that such Market has been provided, and the Day and Hour when the same will be opened, and from the Day so mentioned Newgate Market shall be discontinued, and shall cease to be used as a Market, and no Market shall thereafter be holden on the Site thereof, and on and from that Day so much and such Parts of the said recited Act of the Twenty-second Year of the Reign of King Charles the Second as authorized the holding of the said Market and prohibited the Erection of any Houses, Shed, or other Building upon the said Market Place other than the Market House then standing thereon, without the Consent of the Dean and Chapter, shall be and the same are hereby repealed.

Common Council may remove Buildings.

6. It shall be lawful for the Common Council and they are hereby authorized and empowered to pull down or cause to be pulled down all Sheds and other Erections and Buildings which now are or which shall at any Time (before the Sites thereof are sold and disposed of under this Act) be standing and being upon the Site of Newgate Market, and all Houses, Erections, and Buildings which shall be purchased by them under the Authority of this Act, or such of them, or such Part thereof as they shall think proper, to be pulled down, and to level and clear the Ground whereon the same shall stand, and all other the Ground to be purchased by virtue of this Act, and to sell or cause to be sold the Materials of the Houses or Buildings to be taken down and removed pursuant to this Act, and the Monies to arise or to be produced by the Sale thereof, after deducting the Expense of pulling down such Houses and Buildings respectively, and of such Sale or Sales, and also the Rents and Profits of the Houses and Buildings to be purchased by virtue of this Act, until the same shall be pulled down and cleared, shall be applied and disposed of for or towards the Purposes of this Act, or any of them.

Plans to be prepared.

7. Before the Common Council shall proceed to appropriate the Site of Newgate Market, or any Part thereof, for building Purposes, the Common Council and the Dean and Chapter shall cause Plans to be prepared by their respective Surveyors, showing the Situation of the Houses, Erections, and Buildings proposed to be erected thereon, and the Elevation thereof, and it shall be lawful for the Common Council and they are hereby authorized to proceed with the Appropriation of the Site of the said Market for the Erection of Houses and the Erection of Buildings thereon in accordance with the Plans so approved; but in case the respective Surveyors of the Common Council and the Dean and Chapter shall not agree as to such Plans, then the Common Council shall forward a Copy of the Plan proposed by their Surveyor, and a Copy of the Plan proposed by the Dean and Chapter's Surveyor, to One of Her Majesty's Principal Secretaries of State for his Decision thereon, and he shall be at liberty to hear both Parties, and his Decision shall be final and conclusive.

Power to agree for Purchase of Shambles, &c.

8. It shall be lawful for the Common Council and they are hereby authorized and empowered to treat and agree for the Purchase of any Shambles or Slaughter-houses, and Butchers Shops, or any Houses or Buildings or Land used for Shambles and Slaughter-houses, or Butchers Shops, and any Lands or Buildings connected therewith, situated in the Parishes of Saint Faith's under Saint Paul's, and Christchurch, in the City of London, or either of them, and of any subsisting Leases, Terms, Shares, Estates, and Interests therein, and Charges thereon, or such of them, or such Part or Parts thereof respectively as the Common Council shall think proper.

Power to sell Site of Market.

9. When and as soon as the Site of the said Market shall have been cleared the Common Council shall sell and dispose of such Site for building Purposes, either altogether or in Parcels, to any Person who shall erect and build, or covenant and

and agree to erect and build thereon, or on any Part thereof, Houses, Erections, and Buildings of such Rate or Class of Building, and upon such Plan and Elevation, of such Height, and with such Stories, as the respective Surveyors of the Common Council and the Dean and Chapter, or failing Agreement between them, One of Her Majesty's Principal Secretaries of State, shall think proper, and shall sell the same either by Public Auction or Private Contract for such Price or Sum of Money as the Common Council shall think reasonable, and subject to such Stipulations and Provisions as they shall think fit; and the Dean and Chapter may and shall, at the Request of the Common Council, and at the Request, Costs, and Charges of the Purchaser of the same Premises, and upon Payment of the Money agreed to be given for the same to the Chamberlain, convey and assure the Land so purchased by such Purchaser, together with the Houses, Erections, and Buildings, if any, then erected and built thereon, and the Fee Simple and Inheritance thereof, with the Appurtenances, to such Purchaser, his Heirs and Assigns, or as he shall in that Behalf order or direct, free from Incumbrances (except the Covenant or Agreement with respect to any Building thereon to be entered into under this Act).

Land to be sold within limited Period.

10. The Common Council shall, within Five Years after the opening of the Metropolitan Meat and Poultry Market, sell and dispose of, as provided by this Act, and the Dean and Chapter shall grant and convey such Parts of the Site of the said Market as shall not have been laid into any Street, and the Common Council shall also within the like Period of Five Years sell and dispose of any other Land which they may have purchased under the Authority of this Act.

Application of Monies arising from Sale.

11. One Fourth Part of all the Monies which shall arise or be produced by the Sale of the Site of Newgate Market shall immediately after the Receipt thereof by the Chamberlain, and Payment thereout of the Expenses of Sale both of the Dean and Chapter and of the Common Council, be paid by him to the Dean and Chapter for their own Use, and the remaining Three Fourth Parts thereof, and also all Monies which may arise or be produced by the Sale of the old Materials of the present existing Houses and Buildings, shall form a Fund to be called "The Newgate Market Fund," which Fund shall be applicable to and shall be applied by the Common Council in or towards the Expenses of carrying this Act into execution, including the Expenses in and about the Purchase and Removal of Shambles and Slaughter-houses; and the Surplus, if any, of the Newgate Market Fund shall be applied by the Common Council, as they shall think proper, in making Payments to any Lessees or Occupiers of Slaughter-houses or other Buildings in the Neighbourhood of the Market Place.

Power to borrow on Credit of Newgate Market Fund, &c.

12. It shall be lawful for the Common Council to charge upon and to borrow or raise for the Purposes of this Act, on the Credit of the Newgate Market Fund, and also of the Estates and other Property of the Mayor and Commonalty and Citizens, or of any Part thereof, any Sum of Money not exceeding the Sum of 45,000*l.*; and upon Payment of any

Monies so to be raised under the Authority of this Act into the Chamber of the said City by such Instalments, in such Proportions, at such Times and in such Manner as the Common Council shall direct, the Persons who shall contract to advance or contribute any Part of the said Monies shall, in respect of the Sums which they shall so advance, be entitled to Interest at such Rate as the Common Council shall think reasonable, to be payable half-yearly, and to continue until the Payment of each Principal Sum; and the Provisions contained in the Sections of the Metropolitan Meat and Poultry Market Act, 1860, numbered 21, 22, 23, and 24, shall extend and apply to this Act, so far as applicable, as if they had been re-enacted in this Act.

Power to appoint a Committee to manage, &c.

13. It shall be lawful for the Common Council from Time to Time to appoint a Committee to manage and transact all or any of the Matters or Purposes which the Common Council are hereby empowered to do, execute, or perform, which Committee shall have such and so many of the Powers and Authorities and Discretion by this Act given to and reposed in the Common Council as the Common Council shall think fit and proper to delegate to such Committee.

Power to advance Money out of Corporate Funds for prosecuting Act.

14. It shall be lawful for the Common Council to lend and advance out of the Corporate Funds of the Mayor and Commonalty and Citizens such Money as shall be requisite or necessary for the Purposes of this Act, and all Monies which shall be so lent and advanced by the Common Council shall carry Interest after the Rate of 4*l.* per Centum per Annum, and shall be repaid to them out of the Newgate Market Fund.

In certain Events Tolls to be altered.

15. If, after the Expiration of Five Years from the Day on which the Market established under the Provisions of the Metropolitan Meat and Poultry Act, 1860, shall have been opened for the Use of the Public, it shall be proved to the Satisfaction of One of Her Majesty's Principal Secretaries of State that the Amount of the Tolls arising from the said Metropolitan Meat and Poultry Market have not been sufficient to pay the Charges thereon imposed by the said Act and this Act, then and in such Case it shall be lawful for the Common Council from thenceforth to demand and take for or in respect of all Meat and Poultry, and other Provisions brought into the said Market, Tolls not exceeding One Farthing per Stone of Fourteen Pounds, instead of One Farthing for every Twenty-one Pounds as specified in the Schedule to the said Act annexed, and all the Provisions of such Act shall be applicable to such Tolls.

Accounts to be laid before Parliament, § 16.

Cap. liii.

"The Uxbridge Gas Act, 1861."

Recites Formation in 1854 of "The Uxbridge and Hillingdon Gas Consumers Company," for the Purpose of manufacturing and selling Gas, and the Products arising therefrom, in the Town of Uxbridge, and other Places in the Neighbourhood thereof; that the Company has been registered without

limited Liability, and has received a Certificate of Registration under "The Joint Stock Companies Act, 1856;" that their authorized Capital is 11,000*l.*, with Power to borrow on Mortgage or Bond the Sum of 4,410*l.*, of which 5,860*l.* has been raised by 586 Shares of 10*l.*, which are fully paid up, and that they have borrowed 3,300*l.*; that they have constructed and laid down Gasworks, Pipes, and other Apparatus, and are now supplying Gas in Uxbridge and the Neighbourhood thereof, and it is expedient that more effectual Powers should be conferred upon them for the Purposes of their existing Supply; that the Town of Uxbridge and the Neighbourhood thereof are also partially supplied by a Joint Stock Company established under a Deed of Settlement and the "Joint Stock Companies Registration Act," without limited Liability, under the Name of the "Uxbridge Gas Company;" and it is expedient that the Company should be authorized to purchase the Undertaking of the Uxbridge Gas Company; and that the Company should be empowered to raise further Monies for the Purposes of their Undertaking.

Incorporation of General Acts, §§ 2, 3.
Limits of Act, § 4.
Incorporation of Company and Avoidance of Deed of Settlement, §§ 5 to 8.
Capital 16,000*l.*, § 9.
Appropriation of new Shares for existing Shares, §§ 10, 11.
Creation and issue of new Shares and Power to cancel unissued Shares, §§ 12 to 19.
Limit of Dividend 10*l.* per Cent. upon the old and 7*l.* 10*s.* on the new Shares, § 20.
Scale of voting, § 21.
Power to borrow 4,000*l.* in all, § 22 to 24.
Company may purchase Shares, § 26.
Meetings; Directors, §§ 27 to 33.
Power to maintain Works and to supply Gas, § 34.
Restricting Erection of future Works, § 35.
Company not to lay Mains, &c. through Property of R. H. Cox, Esquire, without Consent, § 36.
Power to Company to purchase Works of Uxbridge Gas Company and Saving of Rights and Liabilities, §§ 37 to 48.
Price of and Supply of Gas, §§ 49 to 59.
Quality of Company's Gas and Testing Clauses, §§ 60 to 64.
Recovery of Money by Distress, §§ 65 to 67.
Small Sums recoverable in County Courts, § 68.
Protecting Uxbridge Gas Company, § 70.
Schedule (Lands).

Cap. liv.

"West Cornwall Railway Amendment Act, 1861."

Recites that in 1846 "The West Cornwall Railway Company" were incorporated with a Capital of 500,000*l.* in 25,000 Shares of 20*l.* each, and with Power to borrow on Mortgage or Bond 165,000*l.*; that by "The West Cornwall Railway

Amendment Act, 1853" (reciting "The West Cornwall Railway Act, 1846," and "The West Cornwall Railway Amendment Act, 1850," which authorized the Company to make a Deviation and Branch Railway), the Company were empowered to cancel forfeited Shares and to accept Surrenders of Shares; and also from Time to Time, by Order of an Extraordinary Meeting, to create and issue new Shares in lieu of Shares so cancelled or surrendered; and it was enacted that all Capital raised by the Creation of such new Shares should be applied only to the Purposes by the Act now in recital and the therein recited Acts authorized; that of the Capital of the Company, 353,825*l.* 14*s.* 10*d.* has been paid up, of which Sum 6,925*l.* 14*s.* 10*d.* has been paid up on 7,655 Shares, which have since been forfeited and cancelled or surrendered, and the Sum of 146,174*l.* 5*s.* 2*d.* remains unpaid on those Shares; that it is expedient that the Company be enabled to create Debenture Stock in substitution for and for the Redemption of their Mortgage and Bond Debt, to attach to any Capital created under the Powers of "The West Cornwall Railway Amendment Act, 1858," in lieu of Shares cancelled or surrendered, such Preference or Priority in Payment of Interest or Dividend as herein-after provided; enables the Company to create Debenture Stock at 5*l.* per Cent., and also to attach a Preference of 5*l.* per Cent. to any Shares authorized by their Act of 1853.

Cap. lv.

"The Isle of Wight Waterworks Act, 1861."

Limits of Act and Restriction on Supply at and near Ryde, § 2.
Incorporation of General Acts, §§ 3, 4.
Incorporation of Company with an Amount of Capital of 20,000*l.* in Shares of 10*l.*, and with Power to borrow 5,000*l.*, §§ 5 to 11.
Meetings; Directors, §§ 12 to 18.
Power to make Works, §§ 19, 20.
Three Years for the compulsory Purchase of Lands, § 21.
Waterworks to be made within Five Years, § 22.
Water not necessarily under Pressure, § 24.
Rates and Penalties, §§ 25 to 38.
Reservoir Provisions, §§ 39 to 48.
Mains not to be extended into Parish of Shanklin without Consent of F. W. Popham, Esq., § 49.
Saving Rights of Commissioners of Sewers, § 50.

Cap. lvi.

"The Huddersfield Gas Act, 1861."

Recites that by Articles of Agreement dated the 2d Day of April 1821, a Company or Copartnership, called "The Huddersfield Gas Company," was established for supplying Huddersfield with Gas, with a Capital of 3,400*l.* in Shares

of 20*l.* each, and Powers of increasing such Capital; that in January 1846 the Company were completely registered under 7 & 8 Vict. c. 110., by the Name of "The Huddersfield registered Gas Light Company," and by their Deed of Settlement entered into for the Purpose of such Registration, dated the 17th Day of November 1845, and which superseded the recited Articles of Agreement of the 2d Day of April 1821, their then Capital was stated to be 16,000*l.*; and it was agreed that if at any Time or Times thereafter it should with reference to the then State and Condition of the Affairs and Concerns of the Company and its future Prospects be thought advisable for an extraordinary Board of Directors, specially called for the Purpose, to raise more Money for the Company, or for extending its Business, it should be lawful for Meetings of the Company, as therein set forth, to enter into Resolutions to increase the Capital of the Company, and the said Company were afterwards duly incorporated under "The Joint Stock Companies Act, 1856;" that they erected Gasworks and laid down Mains and Pipes through the Streets and Roads of the said Town and the Neighbourhood thereof for the Purpose of supplying the same with Gas, and have hitherto supplied Gas to the said Town and Neighbourhood accordingly; that the Population, Mills, Manufactories, and other Buildings of the Town and Neighbourhood of Huddersfield have considerably increased, and the Company have from Time to Time, as Occasion required, invested large Sums of Money and constructed extensive Works to meet the increased Wants of the said Town and Neighbourhood, and the Sums expended in the Construction and Extension of the said Works amount to 60,000*l.*; that they have created Shares to the Amount of 23,000*l.*; and the present Share Capital of the Company so increased amounts to 39,000*l.*; and the Balance between the said Sums of 60,000*l.* and 39,000*l.*, amounting to 21,000*l.* has been supplied from the Profits of the Undertaking, divisible amongst the Shareholders, and the Company are desirous of creating Shares to represent that Amount; proposes to extend their Works; to raise further Monies; and to purchase certain Lands.

Incorporation of 8 & 9 Vict. c. 16. & 18., and 10 & 11 Vict. c. 15., §§ 2, 3.

Limits of Act.

5. The Limits of this Act with respect to the Supply of Gas are the Townships, Hamlets, or Places of Huddersfield, Fartown, Deighton, Sheepridge, so much of Bradley as is within Three Miles of the Market Cross in Huddersfield, Marsh, Paddock, Lindley, Lindley-cum-Quarmby (except such Part thereof as is South of the Centre of the Huddersfield and New Hey Turnpike Road and West of a Line extending Southwardly from a Point on the said Road opposite to the Bay Horse Inn at Lindley Lane End, to a Point on the Road leading from Paddock to Longwood, where the Angel Inn now stands), all in the Parish of Huddersfield; Dalton; so much of Kirkheaton as is within Three Miles of the said Market Cross, Colne Bridge, and Mold Green, all in the Parish of Kirkheaton;

Kirkheaton; Almondbury, Lockwood, Salford, South Crosland, North Crosland, and Linthwaite, except such Part thereof as is situate West of a Line extending from the River Colne Southwardly near to Spring Mill, to a Point on the Southern Boundary of Linthwaite, and between the River Colne and a Line parallel with and at a Distance of 300 Yards from the South Side of the Wakefield and Austerlands Turnpike Road, all in the Parish of Almondbury; which said Parishes, Townships, Hamlets, and Places are in the West Riding of the County of York: Provided always, that the Company shall not lay any Mains or supply Gas within the Parish of Kirkheaton or the Townships of Dalton or Almondbury, except so much of the last-mentioned Townships as are coloured Red on a certain Map deposited at the Office of the Clerk of the Peace for the West Riding of the County of York at Wakefield, until they shall have obtained the Consent in Writing for that Purpose of Anthony Knowles Kaye, the present Owner of the Gasworks at Mold Green, or other the Proprietor for the Time being of the said Gasworks.

Map defining Limits, § 6.

Company incorporated, and saving of Rights and Liabilities, §§ 7 to 18.

Capital.

19. The Capital of the Company shall be 100,000*l.*, divided into 5,000 Shares of 20*l.* each, and 3,000 of such Shares shall be distributed amongst the Proprietors of Shares in the Capital of the Registered Company in the Proportions in which such Proprietors were entitled to the Shares in that Capital at the Time of the passing of this Act and in substitution for such last-mentioned Shares, and shall vest in such Persons and Corporations accordingly; and every Share so vested shall be subject and liable to the same Trusts, Powers, Provisions, Declarations, Agreements, Charges, Liens, and Incumbrances as immediately before the passing of this Act affected the then existing Share in the Capital of the Registered Company for which it is substituted, and so as to give effect to and not revoke any testamentary Disposition of or affecting such then existing Share, but the Amount of Profits which the Company may divide upon 1,050 of the said 3,000 Shares shall not exceed the Rate of 5*l.* per Centum per Annum upon the Amount of such Shares.

Calls due upon old Shares to be due upon the new.

20. The Shares so vested shall be considered as fully paid up, except that all Calls made by the Registered Company upon any of their Shares which remained unpaid at the Time of the passing of this Act shall be due upon the Shares by this Act vested in substitution for those Shares, and the Company may enforce Payment of such Calls in like Manner as they may enforce Payment of Calls made by them upon any other Shares under the Authority of this Act.

Company shall call in and cancel existing Share Certificates, and issue new Certificates in lieu thereof, § 21.

Remaining Shares to be sold by Auction, § 22.

Application of Premium to be

23. The Intention to sell the said Shares by Auction shall be duly advertised for Two successive Weeks in a Newspaper

circulating in the Town of Huddersfield, and any Sum of Money which shall arise upon such Sales by way of Premium shall be expended in paying the Expenses of this Act, or in extending or improving the Works of the Company, or in paying off Money borrowed or owing by the Company, and shall not be considered as Part of the Capital of the Company entitled to Dividend. derived from Shares.

Company may issue remaining Shares when they think fit, § 24.
Power to borrow 15,000*l.* at once, and eventually 10,000*l.* more, §§ 26, 27.
Meetings; Directors, §§ 28 to 38.
Power to purchase Lands, § 39.
Company empowered to lay down Pipes, &c., § 40.
As to laying Pipes under Sir John Ramsden's Canal, &c., § 41.
Power to lay Pipes against Buildings, § 42.

43. The Prices to be charged by the Company for Gas supplied to Persons who shall burn the same by Meter shall not exceed the following; (that is to say,) for Gas supplied within a Radius of One Mile from the Market Cross in Huddersfield and the present Limits of the Mold Green Local Board, 4*s.* per 1,000 Cubic Feet, and for Gas supplied beyond the said Limits and Radius, 5*s.* per 1,000 Cubic Feet, and the Price to be charged by the Company for Gas supplied to the public Lamps within the Limits for the Time being of the Huddersfield Improvement Commissioners, after the Expiration of existing Contracts, shall not exceed 2*s.* 6*d.* per 1,000 Cubic Feet. Limiting the Price of Gas.

Gratuitous Supply of Gas, § 44.
Register of Gas Meter to be primâ facie Evidence, § 45.
Gas to be consumed by Meter when required by Company, § 46.
Charges for Use of Meters as in Schedule, § 47.

48. The Company shall, at the Request of any Owner or Occupier of any House, Part of a House, Factory, or Premises, or of any public Body or private Company having Charge of any public Lamps, or having Premises within the Limits of this Act within Fifty Yards of which any Main Pipe of the Company shall be laid, furnish to such Owner or Occupier, public Body, or private Company, a sufficient Supply of Gas for such House, Part of a House, Factory, Lamps, or Premises, at Rates not exceeding the respective Rates by this Act limited; and if the Company fail to supply such Gas to any such Owner or Occupier, public Body, or private Company, then and in any such Case, on Proof before any Two Justices of such Failure, the Company shall forfeit such Sum not exceeding 20*l.* as the Justices think fit: Provided always, that the Company shall not be bound to supply any Gas under the foregoing Provision, unless the Party requiring the same shall contract for not less than Two Years to pay Gas Rates in respect of such Supply to an Amount equal to 20 per Centum upon the Company's Outlay, and reasonable Security for Payment of the Gas supplied be given to the Company if required: Provided also, that the Expense of laying Company to supply Gas within Twenty Yards of a Main.

laying all necessary Service Pipes of a greater Length than 30 Feet from the Company's Main shall be borne by the Person so requiring the same to be laid, and the estimated Cost thereof, if required by the Company, shall be paid in advance by such Person; and in case of Dispute between the Company and such Person as to such Costs, the same shall be settled by Arbitration: Provided also, that nothing herein contained shall be construed to render it compulsory upon the Company to lay any Service Pipe in private Property, or to supply Gas where any such Service Pipe would be necessary, and is not laid down by the Person requiring such Supply, and available for the Purpose of such Supply.

Justices to determine Amount of Security.

49. If the Company and the Persons so requiring such Pipes or Gas cannot agree upon the Security to be so given, the same shall be determined by Two Justices, and such Justices shall, on the Complaint and Application of the Company, and such Person or either of them, determine the Amount and Nature of the Security to be so given, and the Decision of such Justices shall be final and conclusive, and such Security may be by the Deposit or Prepayment of Money.

Incoming Tenant not liable to pay Arrears of Gas Rent, § 50.
Company may remove Pipes from unoccupied Premises on giving Notice to Owner, § 51.
Testing of Gas; Penalties, §§ 52 to 61.
Saving Rights of Huddersfield Waterworks Commissioners, § 62.
Schedule.—(Meter Rents.)

Cap. lvii.

"The Midland Railway (New Lines) Act, 1861."

Incorporation of General Acts, §§ 2, 3.

Power to take Lands.

4. Subject to the Provisions of this Act and of the Acts incorporated herewith, the Company may from Time to Time enter upon, take, and use all or any of the Lands defined on the deposited Plans and described in the deposited Books of Reference.

Power to make Railways authorized by this Act.

5. Subject to the Provisions of this Act, the Company from Time to Time may make in the Lines and in accordance with the Levels respectively shown on the deposited Plans and Sections, and in and upon the Lands which the Company are by this Act authorized to enter upon, take, and use, the Railways following, with all proper Stations, Works, and Conveniences connected therewith; (that is to say,)

First, a Railway to commence in the Parish of Shustoke in the County of Warwick by a Junction with the Tame Valley Line of the Midland Railway at or near the Point where the same passes over the River Blythe, and to terminate in the Parish of Nuneaton in the same County by a Junction with the South Leicestershire Railway at or near to Horeston Grange:

Secondly, a Railway to commence in the said Parish of Shustoke by a Junction with the last-mentioned intended Railway near the Bridge by which the Railway of the Company

Company between Nether Whitacre and Hampton-in-Arden, commonly and herein-after called "the Hampton Branch," passes over Bourne Brook, and to terminate in the same Parish by a Junction with the said Hampton Branch at a Point to the North of the said Bridge:

Thirdly, a Railway to commence by a Junction with the first-mentioned intended Railway at the same Point as the last-described Railway is intended to commence, and to terminate in the said Parish of Shustoke by a Junction with the said Hampton Branch at or near the Point where the same passes under the Turnpike Road leading from Coleshill to Atherstone at Cross Heath:

Fourthly, a Railway to commence in the said Parish of Nuneaton by a Junction with the said first-mentioned intended Railway near the Bridge by which the Turnpike Road leading from Nuneaton to Atherstone passes over the Coventry Canal near Abbey End, and to terminate in the same Parish by a Junction with the Trent Valley Line of the London and North-western Railway at a Point North of the Nuneaton Station on the said Railway:

Fifthly, a Railway to commence from and out of and by a Junction with the Main Line of the Midland Railway between Ashchurch and Worcester in the Parish of Ashchurch in the County of Gloucester, and to terminate in the Parish of Saint Lawrence, Evesham, in the County of Worcester, by a Junction with the Oxford, Worcester, and Wolverhampton Railway, now forming Part of the West Midland Railway, near the Evesham Station thereon:

Sixthly, a short diverging Line of Railway to commence from and out of and by a Junction with the Main Line of the Midland Railway between Ashchurch and Worcester near the Point where the intended Railway last hereinbefore described will diverge from such Main Line, and to terminate by a Junction with the Ashchurch and Tewkesbury Branch of the Midland Railway near the Point of Junction of such Branch Railway with the said Main Line, all in the said Parish of Ashchurch:

Seventhly, a Railway to commence in the Parish of Blackwell in the County of Derby, by a Junction with the Erewash Valley Branch, now in course of Construction, of the Midland Railway authorized by "The Midland Railway (Erewash Valley) Act, 1859," and to terminate in the Parish of Teversall in the County of Nottingham, near Fackley Lane Toll Gate:

Eighthly, a Railway to commence in the Parish of Beighton in the County of Derby by a Junction with the Midland Railway, and to terminate in the Parish of Aston-cum-Aughton in the West Riding of the County of York by a Junction with the Manchester, Sheffield, and Lincolnshire Railway:

And the Railways and Works executed under the Authority of this Act shall, for the Purposes of Tolls and Charges, and for all

all other Purposes whatsoever, be Part of the Undertaking of the Company.

Board of Trade Provisions as to level Crossings, §§ 6 to 8.

Power to alter Engineering Works.

10. Notwithstanding anything in "The Railways Clauses Consolidation Act, 1845," contained, the Company, in the Construction of the Railway, may deviate from the Line of any Arches, Tunnels, or Viaducts described in the deposited Plans or Sections, so as the Deviations be made within the Limits of Deviation shown on those Plans, and subject to the Limitations contained in the 15th Section of that Act, and so as the Nature of the Work as described be not altered, and they may also substitute any other Engineering Work not shown on those Plans or Sections instead of a Tunnel, Viaduct, Arch or Arches, as shown thereon, provided that every such Substitution be authorized by a Certificate of the Board of Trade; and the said Board is hereby empowered to grant such Certificates, provided it shall appear to the Board, upon due Inquiry, that the Company has acted in the Matter with good Faith, and that the Owners, Lessees, and Occupiers of the Land in which the Substitution is intended to be made consent thereto, and also that the Safety and Convenience of the Public will not be diminished thereby: Provided, that nothing herein contained shall take away or affect any of the Powers given to the Company or to the Board of Trade by the 14th or 15th Sections of "The Railways Clauses Consolidation Act, 1845."

Two Years for compulsory Purchase of Lands, § 12.
Four Years for Completion of Works, §§ 13, 14.
Protection of Coventry Canal Navigation, §§ 15 to 18.
Communication with London and North-western, South Leicestershire, Manchester, Sheffield, and Lincolnshire, and West Midland Railway Companies, §§ 19 to 36.
After Completion and Opening of Branch Railways Company not compellable to keep certain Portion of Hampton Branch Railway open for public Traffic, § 37.
As to Sale of Lands on which Portion of Hampton Branch ceasing to be used for public Traffic is situate, § 38.
Seventhly-described Railway to Teversall to be Passenger as well as Goods Line, and One Passenger Train daily to be run thereon each Way, § 39.
Parts of Companies Clauses Act incorporated, § 40.
Power to create new Capital not exceeding 390,000*l.*, with or without a Preference not exceeding 5*l.* per Cent., §§ 41 to 52.
Power to borrow not exceeding 127,600*l.*, §§ 53 to 55.

As to certain Traffic of the West Midland Railway Company.

56. Any Traffic destined to pass over the Railways fifthly and sixthly herein-before described, between any Part of the West Midland Railway lying within a District comprised within a Line drawn due East from Evesham to the Coast and a Line drawn due South from Evesham to the Coast, and any Place on any other Part of the West Midland Railway, shall be carried by the Company over the Railways fifthly and sixthly herein-before described at Rates and Charges not exceeding the Rates and Charges demanded or taken by the Company

Company on any Part of their Railway for any other Traffic of the same Description which shall be carried by them over any Part of their Railway, unless such last-mentioned Rates and Charges shall be lower than the Rates and Charges demanded or taken by the West Midland Railway Company on any Portion of their Railway in respect of any particular Traffic destined to pass on any Part of the Midland Railway, in which Case the Rates and Charges payable to the Company in respect of such particular Traffic shall be the Rates and Charges so demanded and taken by the West Midland Railway Company in respect thereof, and so from Time to Time; and in regard of the Traffic first above mentioned, the Company shall afford the same Facilities, Advantages, and Accommodation in every respect for receiving, forwarding, and delivering the same, and for the Return of Carriages, Trucks, and other Vehicles, as shall be reasonably required by the West Midland Railway Company, or as shall be afforded by the Company to or for the Purposes of any other Traffic of the same Description on any Part of their Railways.

Provision in case Company refuse to facilitate Traffic to West Midland Railway.

57. If the Company shall decline or refuse (after Notice given from the West Midland Railway Company) to observe any of the above Stipulations, any Complaint of the West Midland Railway Company thereupon shall from Time to Time be referred to an Arbitrator according to "The Railways Clauses Consolidation Act, 1845;" and if such Arbitrator shall be of opinion that such Complaint is well founded, he may give such Orders and Directions in the Matter as in his Opinion shall be fit and proper for the Removal of such Complaint; and if the Company shall decline or refuse to obey any such Order or Direction, then, upon Proof of the Fact to the Satisfaction of such Arbitrator, the West Midland Railway Company shall be entitled thenceforth to use, with Engines, Carriages, and otherwise, the Railways fifthly and sixthly herein-before described, and any Station thereon, and all the Works and Conveniences thereof or connected therewith, on such Terms and Conditions in every respect as shall be settled by Arbitration in case of Dispute according to "The Railways Clauses Consolidation Act, 1845," and such Arbitrator shall be at liberty to make an Award on any Part of the Matters referred to him from Time to Time.

As to certain Traffic between Evesham and Malvern.

58. And whereas an Agreement has been entered into between the Company and the West Midland Railway Company in respect of Traffic between Evesham and Malvern passing or to pass over the Railways fifthly and sixthly by this Act authorized: Therefore, in pursuance of such Agreement, the Company shall account for and pay over to the West Midland Railway Company any Sums of Money received by the Company in respect of the Conveyance of such Traffic over the Railways fifthly and sixthly by this Act authorized and the Tewkesbury Branch of the Midland Railway between Evesham and the Tewkesbury and Malvern Railway, less an Allowance to the Company of 30 per Centum for Working Expenses.

59. And

Arrangement between the Company and the Manchester, Sheffield, and Lincolnshire Railway Company for Interchange of Mineral Traffic to be carried into effect.

59. And whereas an Arrangement has been come to between the Company and the Manchester, Sheffield, and Lincolnshire Railway Company for the free Interchange of Mineral Traffic, and the Terms of that Arrangement are set forth in the Schedule to this Act, and it is expedient that Effect be given thereto (so far as the same remain to be performed): Therefore that Arrangement, as set forth in the Schedule to this Act, is hereby confirmed, and the Company and the Manchester, Sheffield, and Lincolnshire Railway Company may and shall carry the same into effect accordingly; and all Differences, Questions, and Matters thereby directed to be settled by Arbitration shall, when and as the same arise, be so settled in the Manner provided by "The Railway Companies Arbitration Act, 1859," and as if the said Two Companies had agreed to refer and had referred the same to Two Arbitrators in accordance with that Act, and all the Clauses and Provisions of that Act shall be applicable thereto accordingly.

The SCHEDULE to which the foregoing Act refers.

HEADS OF ARRANGEMENT between the Midland and Manchester, Sheffield, and Lincolnshire Companies for a free Interchange of Mineral Traffic.

1. Through Rates for Mineral Traffic (Coke, Coals, Lime, Limestone, and Iron Stone) to be arranged between the Midland and Manchester, Sheffield, and Lincolnshire Companies between all Places on the Two Systems proper.

2. The Rates to be such as may be necessary to develop the Traffic arising upon and destined for any Place upon the Two Systems proper, and as may be mutually agreed upon, or failing Agreement to be settled by Arbitration.

3. The Receipts from the Traffic to be divided by Mileage, with an Allowance as between the Companies of Twopence per Ton at each End for Iron Stone, and Threepence for Coal, Coke, Lime, and Limestone.

4. With regard to the new Branch connecting the Two Railways near Woodhouse Mill (being the Railway eighthly hereinbefore described), all new Sidings to be made by the Two Companies at the Junctions, or as near the Junctions as can conveniently be done, for the proper Interchange of Traffic. The Midland Company to allow the Manchester, Sheffield, and Lincolnshire Company to run over the new Branch to the Sidings to be provided upon the Midland Line; and the Manchester, Sheffield, and Lincolnshire Company to allow the Midland Company to run over their Line to the Sidings to be provided on the Sheffield Line. Each Company to provide its own Sidings.

5. The Manchester, Sheffield, and Lincolnshire Company to withdraw their Bill for making a Line from Shireoaks to Staveley.

Cap. lviii.

"Ryde Water Act, 1861."

Recites that at the Time of the passing of their Act of 1854 the Sum of 4,731*l.* 10*s.* then remained due from

the former Commissioners upon Mortgage of the Tolls, Rates, and Assessments levied under "The Ryde Improvement Act, 1829;" that the Commissioners were authorized by the said Act of 1854 to raise the Sum of 23,000*l.* for any of the Purposes of the Waterworks by that Act authorized, and also (inclusive of the said Sum of 4,731*l.* 10*s.*) the Sum of 15,000*l.* for all or any of the Purposes of that Act other than those for which Money was therein-before specifically authorized to be raised; that they have raised the Sum of 22,618*l.* 10*s.* in respect of the Waterworks, and also (inclusive of the Sum of 4,731*l.* 10*s.*) the Sum of 13,681*l.* 10*s.* for such other Purposes, making together the Sum of 36,300*l.*, and have expended the whole of the said Sum of 36,300*l.*; that they have, out of the Monies raised under the said "Ryde Improvement Act, 1854," and applicable to the Sinking Fund by the said Act authorized, paid off Monies borrowed on Mortgage by them to the Amount of 1,501*l.* 18*s.* 6*d.*, and have invested in Government Securities further Monies applicable to such Sinking Fund, amounting to the Sum of 1,229*l.* 15*s.* 10*d.*; that the Act of 1854 confers General Powers upon the said Commissioners for the Improvement and Benefit of the District included within the said Limits, and amongst them a Power to supply with Water the Inhabitants of the said District and (by Agreement) the Inhabitants of any Parish or Place adjoining thereto, and also Vessels resorting to the Town of Ryde; and that the present Supply of Water is inadequate; and it would be of public Advantage if the Commissioners were authorized to furnish a further Supply of Water, and such further Supply could be easily obtained from certain Ponds or Springs known as the Knighton Ponds or Springs, near to Knighton Mill, all in the Parish of Newchurch.

Limits of Act same as those of Act of 1854, § 3.
Incorporation of General Acts, § 4.
Power to make Waterworks, § 5.
Three Years for compulsory Purchases, § 6.
Five Years for Completion of Works, § 7.
Power to take Water, §§ 9 to 12.

Water not necessarily under Pressure.

13. The Water to be supplied by the Commissioners need not be constantly laid on, nor under a Pressure greater than can be supplied by Gravitation from the Works by the recited Act and this Act respectively authorized.

Restriction on Supply of Water beyond Limits of Town.

14. Whereas by Section 107 of the recited Act the Commissioners are authorized by Agreement to supply with Water the Inhabitants of any Parish or Place adjoining to the Town in such Manner as shall best consist with the due Supply of Water to the Town: And whereas a Bill has been introduced into Parliament in the present Session for incorporating the Isle of Wight Waterworks Company and authorizing them to supply Water in Parishes or Places adjoining to the Town: Therefore, if that Bill be passed into a Law in the present or any subsequent Session of Parliament before Michaelmas Day, 1866, and if in the present Session, whether before or after

the passing of this Act, the Commissioners shall not, without in every Case the previous Consent of the Isle of Wight Waterworks Company in Writing under their Common Seal, supply Water beyond the Limits of the Town, as defined by the recited Act, at any Distance greater than Half a Mile from some Part of those Limits, save only in the following Cases; (that is to say,)

First, the Commissioners shall furnish the Supply of Water provided for by Section 108 of the recited Act:

Secondly, if the Owners or Occupiers of the Knighton Estate, now belonging to Messrs. Carter, shall at any Time require a Supply of Water to be furnished by the Commissioners to that Estate, or any Part thereof, the Commissioners from Time to Time may furnish a Supply of Water accordingly:

Thirdly, if on the 16th Day of March 1861 the Commissioners were, in accordance with Section 107 of the recited Act, supplying Water at any greater Distance, they may continue to furnish that Supply until they receive from the Isle of Wight Waterworks Company Notice in Writing that they are ready and willing to furnish the Supply; and at the Expiration of 28 Days after the Delivery of the Notice to the Commissioners and thenceforth they shall wholly cease to furnish that Supply.

Rates for domestic Purposes to be those specified in the Schedule (C.) to the recited Act, § 15.

Supply of Water for special Purposes, § 16.

Water need not be supplied under certain Circumstances, § 17.

Water may be cut off in certain Cases, § 18.

Power to borrow Money on Credit of Waterworks, &c.

19. Whereas the estimated Expense of executing the intended new Works is 5,800*l.*: Therefore the Commissioners may for any of the Purposes of this Act borrow at Interest on the Credit of the Waterworks and the Water Rates, or any of them, any Sums of Money not exceeding 7,000*l.*, and may secure the Repayment of the same with Interest by Mortgages of those Waterworks and Water Rates respectively, or any of them.

As to Money to be borrowed on the Credit of the Waterworks.

20. The Money by this Act authorized to be borrowed on the Credit of the Waterworks and the Water Rates shall be in addition to the Money authorized to be borrowed by the 109th Section of the recited Act: Provided, that all Mortgages granted by the Commissioners under the recited Act and now in force shall, while in force, have Priority over all Mortgages granted by them under this Act.

Application of Money borrowed.

21. All Monies borrowed under the Authority of this Act shall be paid to the Treasurer and be carried to the Credit of the Waterworks Account, and be applied—

First, in paying all the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act;

Secondly, in executing the Works authorized by this Act, and defraying all Expenses incidental thereto; and

Thirdly, the Surplus (if any) shall be applicable as other Monies carried to the Credit of the Waterworks Account.

22. So

Repeal of Part of Sect. 110 of 17 & 18 Vict. c. lxxxiii.

22. So much of the 110th Section of the recited Act as directs the Application of all Monies from Time to Time carried to the Credit of the Waterworks Account therein referred to is repealed by this Act, but not so as to affect anything already done under the recited Act.

Application of Waterworks Account.

23. From and after the passing of this Act all Monies which under the recited Act and this Act respectively shall after the passing of this Act be carried to the Credit of the Waterworks Account shall, except as is by this Act otherwise provided, be applied so far as the same shall extend as follows:

First, in Payment of all the Expenses of and incident to the maintaining of the Waterworks and the providing under the recited Act and this Act respectively of a good and sufficient Supply of Water:

Secondly, in Payment of the Interest on the Monies already and hereafter borrowed under the recited Act and this Act respectively for the Purposes of the Waterworks:

Thirdly, in providing, in proportion to the Amounts so borrowed, the Sinking Fund by this Act required:

Fourthly, the Surplus, if any, shall from Time to Time be carried to the Credit of the General Purposes Account referred to in the recited Act, and be applied in the Manner by the recited Act directed concerning the Application of the Monies carried to the Credit of the General Purposes Account: Provided always, that the Surplus of any Monies borrowed under the Authority of this Act which may be transferred to the Credit of the Waterworks Account under Section 21 shall not be applied to any other Purposes than the Payment of Money borrowed for the Purposes of the Waterworks in addition to the Sinking Fund above mentioned.

Additional Water Rate.

24. Whenever the Amount received in respect of the Supply of Water under the recited Act and this Act respectively in any One Quarter of a Year shall be insufficient for paying so much of the Monies first, secondly, and thirdly mentioned in the last preceding Clause of this Act as are due in the Quarter, the Commissioners may, in addition to the Rates and Monies by the recited Act and this Act respectively authorized to be levied, make, assess, and levy in respect of the Supply of Water within the Limits of this Act such a Rate as shall be sufficient to meet the Deficiency, and the additional Rate shall be applied in making good the Deficiency accordingly.

Sinking Fund.

25. In order to discharge every Principal Sum already and hereafter borrowed under the Authority of the recited Act and this Act respectively, and which is not already paid off, or for the Payment of which Provision is not already made by the Sum of 1,229*l.* 15*s.* 10*d.* invested by the Commissioners for that Purpose under the Provisions of the Ryde Improvement Act, 1854, as herein-before recited, the Commissioners shall every Year, out of the Monies by the recited Act and by this Act respectively liable to furnish the same, appropriate and set apart as a Sinking Fund such a Sum as, with the Accumula-

tions and Monies herein-after mentioned, will enable the Commissioners in 50 Years to pay off the respective Sum so borrowed, and shall from Time to Time cause the Sinking Fund to be invested in the Purchase of Exchequer Bills or other Government Securities, and to be increased by Accumulation in the way of Compound Interest or otherwise, until the same shall be of sufficient Amount to pay off the Principal Sum, to the Payment whereof the Sinking Fund shall be applicable, or such Part thereof as the Commissioners from Time to Time think ought to be paid off.

Monies from Sale of superfluous Lands, § 26.
Saving Rights of Commissioners, § 28.

Cap. lix.

"The Berwick, Norham, and Islandshire Turnpike Trust Act, 1861."

Recites their Act of 10 Geo. 4. c. lix. for maintaining certain Roads and Bridges in the County of the Borough and Town of Berwick-upon-Tweed and Counties of Northumberland and Berwick; that the Debt due on the Security of the Tolls taken on the said Roads and Bridges amounts to the Sum of 27,883*l.*, the Particulars of which are set forth in the Schedule No. 1, and that the further Sum of 300*l.*, the Particulars of which are set forth in the Schedule No. 2, hereunto annexed, have been advanced upon the Credit of the Tolls; repeals recited Act, and continues the Trust for 21 Years.

Cap. lx.

"The Leeds, Bradford, and Halifax Junction Railway Act, 1861."

Recites Incorporation in 1852 for constructing a Railway from Bowling near Bradford to Wortley near Leeds, in the West Riding of the County of York, and for other Purposes; that by their Act of 1853 they were authorized to construct a Branch Railway from the Main Line at Laister Dyke to Gildersome Street, and another Branch Railway from Laister Dyke to the Town of Bradford; and by their Act of 1854 to construct a Railway (in extension of the Gildersome Branch) to East Ardsley; and by their Act of 1855 to raise additional Capital; and by their Act of 1859 to convert their Mortgage or Bond Debt into Debenture Shares or Debenture Stock; proposes to construct the Branch Railway herein-after described, and to raise a further Sum of Money; and that the intended Branch Railway should form a Junction with the Birstal Branch of the London and North-western Railway near the Junction of that Branch with the Main Line of the London and North-western Railway in the Township and Parish of Batley; and that Provision should be made for the User by the Company of that Portion of the London and North-western Railway

which lies between the said Point of Junction therewith of the intended Railway and the Station at Batley of the London and North-western Railway, and the Stations, Works, and Conveniences connected therewith (including the said Station at Batley), on the Terms and Conditions herein-after in that Behalf provided.

Incorporation of General Acts, §§ 2, 3.
Power to construct Railway, § 4.
Communication with the London and North-western Railway, §§ 5 to 9.
Regulating Inclination of certain Roads, § 10.
Power to alter Engineering Works, § 11.
Bridge under the Leeds and Birstal Turnpike Road, § 12.
Bridge over the Leeds and Ealand Turnpike Road, § 13.
Two Years for compulsory Purchase, § 15.
Three Years for Completion of Works, §§ 16, 17.
Tolls, § 18.
Power to raise additional Capital of 45,000*l.* by new Shares, with or without a preferential Dividend not exceeding 5*l.* per Cent., §§ 19 to 28.
Power to borrow 15,000*l.*, §§ 29 to 32.
Provision for Use by the Company of Portion of London and North-western Railway, § 33.
Terms of User of Portion of London and North-western Railway, § 34.

Cap. lxi.

"The Universal Private Telegraph Company's Act, 1861."

Recites that by Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing Date at Westminster the 2d Day of June in the Year 1858, Her present Majesty did grant unto Charles Wheatstone, his Executors, Administrators, and Assigns, the sole Privilege of making, using, exercising, and vending his Invention of "Improvements in Electric Telegraphs, and in Apparatus "connected therewith," during the Term of 14 Years thence next ensuing, a Specification of which said Invention was duly enrolled in Chancery; and that by certain other Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing Date at Westminster the said 2d Day of June in the Year 1858, Her said Majesty did grant unto the said Charles Wheatstone, his Executors, Administrators, and Assigns, the sole Privilege of making, using, exercising, and vending his Invention of "Improve-"ments in Electro-Magnetic Telegraphs and Apparatus, and "for transmitting Signs or Indications to distant Places by "means of Electricity, commonly known as Wheatstone's "Universal Telegraph," during the Term of 14 Years thence next ensuing, a Specification of which said Invention was also duly enrolled in Chancery; and whereas the Persons herein-after named and others formed themselves into a Company for the Purpose of working and using the said Patents, which Company was registered pursuant to the

Act passed in the 19th and 20th Years of the Reign of Her said Majesty Queen Victoria, Chapter 47, intituled "An "Act for the Incorporation and Regulation of Joint Stock "Companies and other Associations," by the Name of "The Universal Private Telegraph Company, Limited;" that the said Inventions have been found to be of great public Benefit and Utility, and it would be of public Advantage if the same were brought into general Use, and that Object would be greatly promoted if the said Patent Privileges were used and exercised by the Company hereby incorporated with and under the Powers and Provisions hereinafter contained.

Companies and Lands Clauses Acts (both English and Scotch) incorporated, but without compulsory Powers, §§ 2, 3.

Incorporation and Purposes of Company, § 5.

Continuing Liabilities of dissolved Company, §§ 6, 7.

Capital 190,000*l.*, in 25*l.* Shares, § 8.

Meetings; Directors, §§ 9 to 16.

Land taken not to exceed Five Acres, § 17.

Company may construct Works and Buildings upon Lands taken, § 18.

Power to agree with other Electric Telegraph Companies for facilitating Telegraphic Communication, § 19.

Company may take Charges for Use of Telegraph, § 20.

And also Charges for through Transmission by Telegraphs of other Companies, § 21.

Company empowered to lay Pipes and Wires along Streets, § 22.

Power for Company and other Companies to enter into Agreements, § 23.

Wires to be removed when they may interfere with Improvements, &c. of Property, § 24.

Power for Company to agree with Owners of Railways and Canals, § 25.

Company not to place Electric Apparatus in Streets, &c. without Consent, § 26.

Company not to interfere with Property of Mersey Docks and Harbour Board without Consent of Board, § 27.

Company not to break up Streets in Boroughs without Consent of Councils of such Boroughs, § 28.

Notice to be served before breaking up Streets, § 29.

Streets, &c. to be broken up under Superintendence, § 30.

Streets, &c. broken up to be reinstated without Delay, § 31.

Penalty for Delay in reinstating Streets, &c., § 32.

In case of Delay, other Parties may reinstate and recover the Expenses, § 33.

Company to make good Damage to the Roads, § 34.

Traffic not to be stopped during Company's Works on any Street or Road, § 35.

Precautions to be taken by Company during Works on Streets and Roads, § 36.

Pipes not to be laid in City of London without Consent, § 37.

Company to alter or remove Works if required by the Metropolitan Board, &c. to do so, § 38.

For Protection of Sewers of Metropolitan and other Boards, § 39.
Company not to alter Position of Gas or Water Pipes, except Service Pipes, § 40.
Company to reinstate Service Pipes, make good all other Damage done by them, and pay Compensation, § 41.
Company, if required, to lay down Wires for the exclusive Use of Her Majesty, § 42.
Wilfully injuring an Electric Telegraph a Misdemeanor, § 43.
Power to apprehend unknown Offenders, § 44.
Company to indemnify Turnpike Road Trustees against Damages arising from Company's Acts or Defaults, § 45.
Incorporation of Part of Railways Clauses Consolidation Act, 1845, § 46.

Cap. lxii.

"The Whitehaven, Cleator, and Egremont Railway Act, 1861."

Recites Incorporation in 1854 of the Whitehaven, Cleator, and Egremont Railway Company for the Purpose of making a Railway from the Whitehaven and Furness Junction Railway, near Whitehaven, to Egremont in the County of Cumberland, with a Branch therefrom to Frizington in the same County; that by their Act of 1857 the Powers of the Company were enlarged and Power given for the raising of additional Capital by the Creation of ordinary or preferential Shares, but no such preferential Shares have been created by the Company; that they were authorized by the first-recited Act to raise by Shares 50,000*l.*, and by borrowing 16,600*l.*, which Sums have been duly raised and borrowed; and by the second-recited Act to raise by Shares 25,000*l.*, and by borrowing 8,000*l.*, of which respective Sums the Sum of 25,000*l.* has been duly raised by Shares, and the Sum of 6,700*l.* by borrowing; that the Railway and Works have been constructed and are now open to the Public; and it is expedient that the Company be empowered to extend their Railway from Frizington to Lamplugh, as herein-after described; to widen and lay down additional Lines of Rail upon certain Portions of their Railway, to provide additional Stations, Communications, and Conveniences; and that Provision be made with a view of facilitating the Traffic of the said Railway; and also that they be empowered further to increase their Capital by the Creation of new Shares in their Undertaking and by borrowing.
Incorporation of General Acts, § 2.
Description of Railway and Works, §§ 3, 4.
Power to lay down an additional Line of Rail at and on a Road now crossed on a Level, § 5.
Trains not to be shunted on level Crossings, § 6.
Two Years for compulsory Purchase of Lands, § 8.
Three Years for Completion of Railway, §§ 9, 10.
Tolls and maximum Charges, § 11.

Increase of Capital by 45,000*l.* by new Shares, with or without a Preference not exceeding 5*l.* per Cent., §§ 12 to 24.
Power to borrow 15,400*l.* more, §§ 25 to 27.

Cap. lxiii.

"The Stockton and Darlington Railway (Works) Act, 1861."

Recites their Amalgamation Act, 1858, that by their (North Riding Lines) Act, 1858, the Company were authorized to make and maintain a Railway first therein described, and a Branch Railway secondly therein described; that "The Stockton and Darlington Railway (Durham Line, &c.) Act, 1858," and "The Stockton and Darlington Railway Act, 1859," and "The Stockton and Darlington Railway Act, 1860," have also been passed with respect to the Company; proposes to make and maintain the Railway by this Act authorized, and to abandon the making of the Branch Railway in their (North Riding Lines) Act, 1858, secondly described and thereby authorized.
Incorporation of General Acts, §§ 2, 3.
Power to take and use Lands, § 4.
Eighteen Months for compulsory Purchase of Lands, § 5.
Power to make Works authorized by this Act, § 7.

Works authorized by this Act.

8. The Works by this Act authorized to be made and maintained by the Company comprise the following Railway, with all proper Sidings, Approaches, Stations, Works, and Conveniences connected therewith; that is to say,

A Railway commencing from and out of and by a Junction with the Railway first described in and authorized by "The Stockton and Darlington Railway (North Riding Lines) Act, 1858," at a Point Westward of Rifts House in the Township and Parish of Marske, and terminating at a Point Westward of Marske Mill (which is situate in the Township and Parish of Marske) in the Township and Parish of Skelton, all in the North Riding of the County of York.

Regulating certain Roads, §§ 9, 10.
Period for Completion of Railway, 31st December 1863, §§ 11, 12.
Railway authorized Part of Company's Undertaking, § 13.
Company may abandon Branch Railway secondly described in Act of 1858, § 14.
Compensation to be made where Contracts have been entered into or Notices given, § 15.

Cap. lxiv.

"The Belfast and County Down Railway (Bangor Branch Abandonment) Act, 1861."

Recites that by "The Belfast and County Down Railway Act, 1855," the Belfast and County Down Railway Company were authorized amongst other things to make Two Branch Railways, the one commencing at the Newtownards Branch

and terminating in the Town of Donaghadee, and the other known as the Bangor Branch, commencing at the said Donaghadee Branch and terminating in the Town of Bangor; that so much of the said Bangor Branch as was by the said Act of 1855 authorized to be made between the public Road in the Townland of Corporation in the Parish of Bangor, marked Number 8 on the Parliamentary Plans referred to in the said Act, and the authorized Termination of the said Branch on the Quay in Bangor, was by "The Belfast and County Down Railway Amendment Act, 1860," authorized to be abandoned; and that by an Act passed in the last Session of Parliament, and called "The Belfast, Holywood, and Bangor Railway Act, 1860," a Company was incorporated with Powers to make a Railway from the Holywood Branch of the Belfast and County Down Railway to the Town of Bangor, and the Powers of that Act are being carried into execution; that the Construction of the said Belfast, Holywood, and Bangor Railway will render the making of any Part of the said Bangor Branch of the Belfast and County Down Railway unnecessary, and it is expedient therefore that it should be altogether abandoned.

1. It shall be lawful for the Company to abandon so much of their said Bangor Branch as they have still Power to make, and the 39th Section of the said Act of 1855 shall be read and construed as though the said Bangor Branch had not been by that Act authorized to be made.

Compensation to be made where Contracts have been entered into and Notices given, § 2.

Cap. lxv.

"The Mid-Wales Railway Act, 1861."

Recites that by their Act of 1859 the Mid-Wales Railway Company were incorporated and authorized to make "a "Railway from Llanidloes in the County of Montgomery "to Newbridge in the County of Radnor;" that by their Extensions Act, 1860, the Company were authorized to construct a Railway, in such Act called "Railway No. 2," commencing at Newbridge aforesaid and terminating in the Parish of Llanelwedd in the said County of Radnor; and it is expedient that the Company should be enabled to make the Deviation herein-after described in the Line of the said Railway authorized by the last-mentioned Act; that by "The Hay Railway Act, 1860," it was among other things enacted, that so much of the Hay Railway and Property of the Hay Railway Company as the Company required and were authorized to take for the Construction of their Railway and Works should, upon Payment as therein-after described, be transferred and conveyed to the Company by "The Hereford Company," and that the Price to be paid by the Company for such Transfer and Conveyance should, in case of Difference, be determined in manner provided by the "Lands Clauses Consolidation Act, 1845," with reference to Cases of disputed Compensation, and that it should be

lawful for the Company to convert such Part of the Hay Railway and incorporate the same into their Railway; but under the Provisions of that Act the Hay Railway therein mentioned may not be transferred to or become the Property of the Hereford Company until some Time after the 6th Day of June 1862, and Doubts are entertained whether before such Transfer to the Hereford Company the Transfer to the Company of the Part of the Hay Railway mentioned in the above-recited Enactment can be legally carried into effect; and it is expedient that the Company should be empowered to purchase and enter upon the said Part of the Hay Railway, and to convert and incorporate the same at an earlier Period; and that they be authorized to enter into Agreements with the Llanidloes and Newtown Railway Company for the joint Construction and Use by those Companies of a Station at Llanidloes or for the Transfer to the Llanidloes and Newtown Railway Company of any Station, or an Interest in any Station, constructed by the Company at Llanidloes.

Incorporation of General Acts, §§ 2, 3.

Power to abandon Part of authorized Line and Compensation, §§ 4, 5.

Power to take Lands, § 6.

Certain Property not to be taken without Consent, § 7.

Two Years for completing Purchase of Lands, § 8.

Railway to be completed on 3d July 1865, § 9.

Power to make Railway authorized by this Act, § 10.

Railway and Works authorized.

11. The Railway and Works by this Act authorized comprise the following Railway, with all proper Stations, Works, and Conveniences connected therewith; (that is to say,)

A Deviation Line commencing by a Junction with the Line of Railway authorized by "The Mid-Wales Railway Act, 1859," at or near the Village of Newbridge in the Parish of Llanyre in the County of Radnor, and terminating in the Parish of Llanelwedd in the same County near the Thirteenth Milestone from Rhayader on the Turnpike Road leading from Builth to Rhayader, by a Junction with the authorized Line of the Railway authorized by "The Mid-Wales Railway Extensions Act, 1860," and therein called Railway No. 2;

and the said Railway by this Act authorized shall be and be deemed for the Purposes of Tolls and Charges and for all Purposes whatsoever Part of the Undertaking of the Company.

Provision with respect to Purchase of Part of the Hay Railway.

12. At any Time after the passing of this Act the Company may give Notice, in such Manner as is prescribed by "The Lands Clauses Consolidation Act" as to the giving of Notices to purchase and take Lands, to the Hay Railway Company and the Hereford Company, that they require to purchase and take so much of the Hay Railway as is mentioned in the said recited Enactment of "The Hay Railway Act, 1860," and the Price to be paid by the Company for such Purchase shall, in case of Difference, be determined in the Manner provided by "The Lands Clauses Consolidation Act, 1845," with reference to Cases of disputed Compensation; and

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in and for the Purpose of and in any Proceeding for determining such Compensation the Hay Railway Company and the Hereford Company shall be deemed to be and shall represent the Owners of the said Part of the Hay Railway as One Party; and the Price agreed or determined to be paid for such Purchase shall, subject to the Provisions of this Act, be paid by the Company into the Bank of England in the Name and with the Privity of the Accountant General of the Court of Chancery in England, to be placed to the Account there of such Accountant General to the Credit of the Hay Railway Company and the Hereford Company, and upon such Deposit the Cashier of the Bank shall give to the Company a Receipt for such Money, specifying to whose Credit and in respect of what Purchase it has been paid in, and thereupon it shall be lawful for the Company to enter upon the said Part of the Hay Railway, and to convert the same and incorporate it into their Railway, and to do all such Acts, Matters, and Things in relation thereto as they might do if it were their own Property; and if within Two Years after the passing of the Act the Hay Railway shall be transferred and conveyed to the Hereford Company as provided by "The Hay Railway Act, 1860," a Transfer and Conveyance of the said Part of the Hay Railway shall, as soon thereafter as practicable, be made and executed by the Hereford Company to the Company as provided in the said Act, and thereupon the Hereford Company shall be entitled to receive the Money so deposited; but if within the Period aforesaid the Hay Railway shall not have been transferred and conveyed to the Hereford Company, a Transfer and Conveyance of the said Part of the Hay Railway shall be forthwith made and executed to the Company by the Hay Railway Company, who thereupon shall be entitled to receive the Money so deposited; provided that such Conveyance, whether by the Hereford Company or by the Hay Railway Company, shall be by Deed duly stamped, in which the Consideration for the same shall be truly stated and set forth: Provided always, that it shall be lawful for the Hereford Company and the Hay Railway Company jointly at any Time before the Purchase Money is paid into the Bank of England, by Writing under their several and respective Common Seals, to authorize and request the Company to pay the Purchase Money either to the Hereford Company or to the Hay Railway Company, instead of paying the same into the Bank of England as herein-before directed, and in that Case the Purchase Money shall be paid by the Company in accordance with such written Authority and Request.

The Company may enter upon and use the said Part of the Hay Railway before Agreement or Award or Verdict.

13. The Company may at any Time after the passing of this Act, subject to the Clauses and Provisions of "The Lands Clauses Consolidation Act, 1845," with respect to the Entry on Lands by the Promoters of the Undertaking, enter upon and use the said Part of the said Hay Railway before any Agreement shall have been come to or an Award made or Verdict given for the Purchase Money or Compensation to be paid in respect thereof: Provided, that any Money paid by the Company into the Bank of England under the 86th Section of

of "The Lands Clauses Consolidation Act, 1845," in respect of such Entry shall be placed to the same Account, and shall subsequently be paid and transferred in the same Manner and subject to the same Provisions as are by this Act made applicable to Money agreed or awarded or determined to be paid by the Company for a Purchase of the said Part of the Hay Railway.

Hay Railway Act, 1860, to cease to bind Hereford Company in respect of Portions of Hay Railway transferred to or entered on by Company.

14. From and after the Transfer to the Company of any Portion of the Hay Railway the Provisions of "The Hay Railway Act, 1860," shall cease to be obligatory on the Hereford Company with respect to every Portion so transferred as if the same were transferred and conveyed to the Company under or in accordance with that Act; and if the Company enter upon any Portion of the Hay Railway before the Transfer thereof to them, the Provisions of that Act shall cease to be obligatory on the Hereford Company with respect to every Portion so entered upon as if the same were transferred and conveyed to the Company under or in accordance with that Act.

Saving Rights of Hereford Company and Hay Company, § 15.

Power to enter into Agreements with the Llanidloes and Newtown Railway Company as to Station at Llanidloes.

16. It shall be lawful for the Company and the Llanidloes and Newtown Railway Company to enter into and to carry into effect Agreements and Arrangements for and with reference to the joint Construction and Use by such Companies of a Station at Llanidloes, or for the Transfer by the Company to the Llanidloes and Newtown Railway Company of any Station or a Share or Interest in any Station which may be constructed by the Company at Llanidloes.

Cap. lxvi.

"The Manchester London Road Station Enlargement Act, 1861."

Recites that the London and North-western Railway Company and the Manchester, Sheffield, and Lincolnshire Railway Company respectively possess an Interest in a Station at Store Street in Manchester, known as the London Road Station, and are entitled in Severalty to certain Portions thereof, and Disputes having arisen and Suits in Chancery and other Proceedings at Law having been instituted between those Companies with respect to the Property, Use, and Management of the said Station, it was by Heads of Agreement made between those Companies on the 26th Day of November 1858, amongst other things, provided as follows: "That all Litigation shall cease, each Party paying "their own Costs; that the London and North-western and "Manchester, Sheffield, and Lincolnshire Companies shall "concur in altering and enlarging the present Passenger "Station according to the Plans of Locke and Jee, with such "Improvements and Modifications as may be agreed, Pro- "vision to be made for joint or separate Use and separate "Staff as far as desirable; the Land of both Companies to

" be exchangeable for joint Purposes so far as may be " necessary to improve and enlarge the Stations generally " on Terms to be settled; Rights to be defined and con- " firmed by Act of Parliament, and a joint Station Com- " mittee; and Means of summary Arbitration to be esta- " blished thereby;" and such Agreement has been acted upon as regards such Station by both the said Companies; that for the due and proper Enlargement of the said Station, for the joint and separate Accommodation of the Two Companies, certain Lands are or may be required which belong to the Sheffield Company and to the North-western Company and to other Parties; that by "The Manchester London Road Station Act, 1859," Provision was made for the Partition by Agreement between the Two Companies, or failing such Agreement, by Arbitration, as by the said Act provided, of the said Station, and for the general Management, Regulation, and Control of such Parts thereof as should be allotted for joint Use, and the Maintenance and Repair thereof, and for other Matters in relation thereto; that under the said Act the North-western Company are widening the Approaches to the said Station from Ardwick, and are proceeding to lay down another Double Line of Rails, and in contemplation of such widening it is expedient and has been agreed to make the Provision herein-after contained with reference thereto; that it is also expedient that Provision be made for enabling the Arbitrators and Umpire, or the major Part of them, acting under the Provisions of the said Act, by their Award to deal in such Manner as they shall think fit for the Purposes of that Act and of this Act with all or any Estate or Interest which the Sheffield Company have or are entitled to in all or any Part of the Lands lying within the Boundaries following; that is to say, between London Road, Store Street, a Right Line drawn in prolongation of the Northerly Side of Ducie Street, East of Dale Street to London Road, and a curved Line drawn from the North Corner of Ducie Street, at its Junction with Dale Street, passing near to the West Corner of the Ashton Canal Warehouse, and ending at the North-westerly Side of the Station at Sheffield Street at the Point where the Second Row of Turn-tables from Store Street, on the upper Level of the Station, is now laid down, which said Lines are shown on the Plans herein-after referred to; and for enabling the Two Companies to acquire the Interest of all other Parties in and to the said Lands or any of them; that it is also expedient that the Two Companies be empowered to acquire certain other Lands lying on the Westerly Side of Boad Street, in the said Parish, and to stop up and discontinue and appropriate the Site of so much of Ducie Street as lies on the Southerly or South-westerly Side of the said curved Line as hereinbefore described, and to cover over and occupy and appropriate the Surface above so much of Sheffield Street, Travis Street, Ashton Street, and of Store Street respectively, as lies on the Southerly or South-westerly Side of the said Line.

General Acts incorporated, §§ 2, 3.
Power to take Lands, § 4.
Discontinuance and Appropriation of Part of Ducie Street, § 5.
Power to cover over Parts of Store Street, Ashton Street, and Travis Street, § 6.
Power to stop up Branch of Rochdale Canal, § 7.
Land to be given up for altering Boad Street, § 8.
Restriction on Interference with Ducie Street, § 9.
Provision as to Alteration of Levels of certain Streets, § 10.
New or altered Streets to be paved, &c., § 11.
As to Bridges over Streets, § 12.
Levels of Streets not to be altered without Consent of Corporation of Manchester, § 13.
Three Years for the compulsory Purchase of Lands, § 14.

Power to the Two Companies to agree for Partition of Station.

15. The Two Companies may from Time to Time hereafter, and either before or after any Award made under the said recited Act, agree between themselves for the Partition between them of the whole or any Part of the said London Road Station, and of the Approaches, Works, and Conveniences connected therewith, and of the whole or any Part of the Lands adjoining or near thereto, whether belonging to the Two Companies jointly, or to either of them separately, and either alone or conjointly with any other Company or Persons; and also of the Lands and Buildings, or any Part thereof, which may be acquired under the Authority of this Act, and for vesting in the Two Companies jointly, or in each of the Two Companies separately, such Portions as may be agreed upon of the said Station, Approaches, Works, Lands, and Buildings, and for regulating and determining the Use and the Terms and Conditions of Use, by the Two Companies of any Portion thereof which may be vested in them jointly, and the Conduct of the Traffic resorting thereto; and for extending the Area of the Control or Management to be exercised by the Joint Committee appointed or to be appointed under the said recited Act, and for determining and regulating the Use and the Terms and Conditions of the Use of the Approaches to the said Station; and any Agreement made by the Two Companies prior to the passing of this Act, in relation to the Objects aforesaid, shall be as binding upon them respectively as if made after the passing hereof.

As to suspending certain Powers of 22 & 23 Vict. c. v.

16. If within Six Months after the passing of this Act the Two Companies shall have made an Agreement in relation to any of the Matters in respect to which they are by this Act empowered to make Agreements, then the Powers vested by "The Manchester London Road Station Act, 1859," in the Arbitrators and Umpire or standing Arbitrator (as the Case may be) appointed or to be appointed under the Provisions thereof, shall not be exercised in respect of any of the Matters comprised in and disposed of by such Agreement, but in other respects the Powers of the said Arbitrators and Umpire and standing Arbitrator respectively, and the other Provisions of the said Act, shall remain in full Force, notwithstanding any such Agreement.

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Additional Powers to Arbitrators and Umpire under the said Act.

17. The Arbitrators and Umpire, or the major Part of them, from Time to Time acting under "The Manchester London Road Station Act, 1859," in making a Partition of the said London Road Station as by that Act provided, and in otherwise executing the Powers by that Act and by this Act vested in them in reference to the said Stations, shall include in their Award, as Part of the said Stations, and as such, subject to the Provisions of the said Act and of this Act, all Lands hereinbefore referred to within, adjoining, or near to the said Stations, and all Approaches, Works, and Conveniences connected with the said Stations and Lands respectively, whether such Lands, Approaches, Works, and Conveniences belong to the Two Companies jointly, or to either of them separately, either alone or in conjunction with any other Company or Person, and any Lands which the Two Companies may acquire under the Provisions of this Act, and shall also deal in such Manner as shall be necessary for the Purposes aforesaid or any of them, with all or any Estate or Interest which the Sheffield Company have or are or shall have become entitled to in all or any of the Lands and Buildings lying between the Boundaries following; (that is to say,) London Road, Store Street, the said Line drawn in prolongation of the Northerly Side of Ducie Street, East of Dale Street, to London Road, and the said curved Line drawn from the North Corner of Ducie Street, at its Junction with Dale Street, passing near to the West Corner of the Ashton Canal Warehouse, and ending at the North-westerly Side of the Station at Sheffield Street, at the Point where the Second Row of Turn-tables from Store Street, on the upper Level of the Station, is now laid down, but the Lands within the said Boundaries, or so much thereof as shall not be otherwise expressly appropriated by this Act, shall be allotted and awarded equally between the Two Companies, as and for a Goods Station only; and the Lands and Buildings belonging to the Sheffield Company, as well as any Lands and Buildings which may be taken for the Reconstruction of the present Passenger Station belonging to the North-western Company, and any Injury to any adjoining Lands of the Two Companies respectively, shall be fairly valued and awarded; and the Plans for the Passenger Station, as already agreed between the said Two Companies, and signed by James Bancroft and Samuel Lees, shall forthwith be carried out, subject to any Alterations which, if not agreed upon between them, shall be settled by the said Arbitrators and Umpire, or the major Part of them; and the Cost of the new Works connected therewith, and the Cost of such Lands and Buildings as shall be required so to be purchased under this Act (less the Value of old Materials) shall be equally divided between the said Two Companies; and the Passenger Station and such Lands and Buildings shall be equally divided; and the Passenger Stations of the said Two Companies respectively shall be retained as such, unless the Two Companies shall otherwise agree; provided that the Sheffield Company shall take the North-easterly, and the North-western Company the South-westerly Side, and the Division shall be so made; any Difference in the Value of the Two

Two Sides of the Goods Station being treated by the said Arbitrators and Umpire, or the major Part of them, as Matter of Money Compensation as between the said Two Companies.

As to Payment in respect of Partition, &c.

18. The said Arbitrators and Umpire, or the major Part of them, in considering and determining as by the said Act directed the Sums to be paid by the One of the said Two Companies to the other of them, shall divide equally between the Two Companies the Costs and Charges incurred in applying for and obtaining this Act, or incident thereto, and in carrying the same into execution, and shall also make his or their Award conformably with this Act, so far as this Act extends, and by his or their Award shall dispose of all Matters which, under this or the said recited Act may remain to be disposed of between the said Two Companies.

Enlarged Station to be subject to Provisions of 22 & 23 Vict. c. v.

19. All the Provisions of "The Manchester London Road Station Act, 1859," shall be construed and read as though at the Time of the passing thereof the said London Road Station included the Lands which the Two Companies shall acquire under the Authority of this Act, and also the Estates and Interests of the Sheffield Company in the Lands lying between the Boundaries before mentioned and the Lands within the said Stations, or near or adjoining thereto, and the Approaches, Works, and Conveniences connected with the said Station and Lands respectively, whether such Lands, Approaches, and Conveniences belong to the Two Companies jointly, or to either of those Companies separately, either alone or in conjunction with any other Company or Person, and as though all and every the several Particulars aforesaid had been specifically mentioned and referred to in the said recited Act, and made subject to the Provisions thereof.

Power to apply Corporate Funds to Purposes of Act.

20. The Two Companies respectively may apply to the Purposes of this Act any of the Monies which they now have in their Hands, or which they have Power to raise by Shares or Mortgage by virtue of any Acts relating to them respectively, and which may not be required for the Purposes to which they are by any such Acts made specially applicable.

Providing for Use by Sheffield Company of North-western Railway between Ardwick and the Station.

21. The Sheffield Company shall, subject to the Payment to the North-western Company of an annual Rent of 350*l.*, and subject to the Tolls prescribed in the Schedule to this Act annexed, have the Use of, and shall use the said Two new Lines of Rails into and out of the said London Road Station, so soon as the same are laid down, and such Two Lines of Rails shall be appropriated to them for all Purposes of their Traffic, and shall be under the Control and Management of the Joint Committee, whose Powers are hereby extended over all the Lines between London Road and Ardwick, including the Junctions and Signals at Ardwick and South Junction; provided that the North-western Company shall maintain and uphold the said new Lines of Railway, and the Works connected therewith, and that nothing herein contained shall affect the Rights of the North-western Company as Owners of the said new Lines, or of crossing such Two new Lines for the Interchange of Traffic, but always subject to the Rights hereby expressly granted to the Sheffield Company over the same; and

and provided also, that so soon as the said Two new Lines are completed as aforesaid, the Sheffield Company shall cease to use the existing Lines, except for the Purpose of passing to and from the Manchester South Junction and Altrincham Railway; and except also for the Purpose, in case of Emergency, of passing into and out of the said Station of the said Sheffield Company, and any Portion of the said Station which may be the joint Property of the Two Companies, so far as may be needful, but always under and subject to the Regulations and Instructions of the said Joint Committee.

Power to commute Tolls.

22. It shall be lawful for the Two Companies to agree to the Commutation of such Tolls and Payment by a fixed annual Payment in lieu thereof, or by the Payment of such other Consideration or Considerations in One Sum or in several Sums, or by way of annual Payment, as they may from Time to Time agree.

Schedule—(Tolls).

Cap. lxvii.

"The Great Northern and Western (of Ireland) Railway Act, 1861."

Recites 20 & 21 Vict. c. lxxxiv., being "An Act for making "Railways from Athlone to Roscommon and Castlereagh, to "be called 'The Great Northern and Western (of Ireland) "Railway;'" 21 & 22 Vict. c. xcvi., being "An Act to "enable the Great Northern and Western (of Ireland) Rail- "way Company to make Deviations in their authorized "Railways, and to empower the Midland Great Western "Railway of Ireland Company to acquire Shares in the "Undertaking of the Great Northern and Western (of "Ireland) Railway Company;" and 22 & 23 Vict. c. xlviii., being "An Act to enable the Great Northern and Western "(of Ireland) Railway Company to extend their Railway "to Castlebar;" proposes to extend their Railway from Castlebar to Westport in the County of Mayo; recites that the Company have by the recited Acts been authorized to raise the Sum of 340,000*l.* by Shares, and the Sum of 113,000*l.* by borrowing on Mortgage of their Undertaking; that they require further Sums for the Purposes of this Act; that the Midland Great Western Railway of Ireland Company, are authorized to subscribe to the Undertaking of the Company to any Extent not exceeding One Third of the estimated Cost of executing the Undertaking of the Company under the recited Acts; that they have agreed to subscribe One Third Part of the additional Capital authorized to be raised by this Act, and also to work the Traffic upon the Railway by this Act authorized, and it is expedient to confer all necessary Powers upon the said Companies for carrying out such Agreement; that the Company are not authorized to create and have not created any preferential or guaranteed Shares; and it is expedient that they should, to the Extent herein-after mentioned, be authorized to issue Preference Shares in lieu of unissued Shares created under the Autho-

rity of the thirdly-recited Act, and also in lieu of forfeited Shares; that by the secondly-recited Act it was enacted, that so soon as the Midland Company had become Subscribers to the Undertaking of the Company to the Extent of 80,000*l.*, the Number of Directors of the Company should be neither more nor less than Nine, of whom One Third are, under the Provisions of the said Act, directed to be appointed by the Directors of the Midland Company, and Two Thirds by the Shareholders of the Company, exclusively of the Midland Company, and much Inconvenience has resulted from the Limitation of the Number of Directors to Nine, and it is expedient that the Number should be increased to Twelve, to be appointed in the same Proportions as aforesaid by the Directors of the Midland Company and by the Shareholders of the Company, exclusively of the Midland Company.

Incorporation of General Acts or Portions thereof, § 2.

Power to make Railway, §§ 3, 4.

Rails, &c. to be countersunk, and laid under Superintendence of Commissioners of Westport Harbour, § 5.

Admiralty and Board of Trade Provisions, §§ 6 to 13.

Three Years for compulsory Purchase, § 14.

Five Years for the Completion of Works, §§ 15, 16.

Power to Company to increase their Share Capital by 64,000*l.*, § 18.

Power to borrow 21,000*l.*, §§ 19, 20.

The Midland Company may acquire additional Shares in the Undertaking of the Company not exceeding 21,000*l.* more. §§ 21 to 23.

Power of the Companies to make Agreements contained in the Acts of 1857 and 1858 to apply to the Railway by this Act authorized, § 24.

Power to cancel unissued or forfeited Shares and to issue new Shares in lieu thereof to the Extent of 40,000*l.*, and to attach a Dividend not exceeding 5*l.* per Cent. to Shares so issued, §§ 25 to 27.

Shares issued under this Act in lieu of Shares under Act of 1859, to be deemed for the Purpose of borrowing to have been issued under the Act of 1859, § 28.

Calls, § 29.

The Midland Company to receive the same Dividend as if Preference Shares had not been created under the Authority of this Act, § 30.

The Number of the Directors of the Company to be increased from Nine to Twelve, § 31.

Saving Rights of the Crown and of Secretary of State for the War Department, §§ 35, 36.

Cap. lxviii.

"The Elland Gas Act, 1861."

Recites Formation of a Company by a Deed of Settlement, dated the 6th Day of May 1836, under the Name and Style of "The Elland-cum-Greetland Gas Company," for the

Establishment of Gasworks and the Supply of Gas to the Township of Elland-cum-Greetland, in the Parish of Halifax and the Precincts thereof, and any of the Places adjacent thereto, and for other Purposes, with a Capital of 4,000*l.*, divided into 400 Shares of 10*l.* each, with Power to borrow on Security of the said intended Buildings, Works, and Premises, or by the Creation of a suitable Number of new Shares, any further Sum or Sums of Money that might be found necessary; that such 400 Shares have been subscribed for and fully paid up; that the Company increased their Capital by the Creation of 100 new Shares of 10*l.* each, upon 80 of which Shares the full Sum of 10*l.* each was fully paid up, and upon the remaining 20 forfeited and sold by Auction, of which the Sum of 114*l.* 17*s.* 6*d.* was realized by the Company; that they from Time to Time created and issued 227 new Shares of 10*l.* each, in consideration of the Payment by the Shareholders of the Sum of 6*l.* for each such Share, which said Sum of 6*l.* for each such Share was paid, and the same was then the full Market Value of the original Shares upon which 10*l.* each had been paid; and afterwards, pursuant to the Power contained in the said Deed, repurchased 28 Shares in their Undertaking and merged the same, leaving the present Number of Shares 699 of 10*l.* each, upon all which Dividends of equal Amount have been paid from Time to Time without Preference or Priority; that they have also, under the Powers contained in the said Deed, borrowed the Sum of 1,200*l.*, which said Sum of 1,200*l.* was expended in the Enlargement of the Works, and the same is still existing as a Charge on the Estate, and the then Committee of Management of the Company also entered into their personal Covenants for the Repayment thereof, with Interest, and they are still personally liable thereto; that they have expended on its Works the Sum of 10,000*l.* and upwards, including the Sum of 1,200*l.* so borrowed as above mentioned; proposes to extend their Limits and to incorporate the Company.

Incorporation of General Acts, §§ 2, 3.

Incorporation of Company and Saving of Rights and Liabilities, §§ 5 to 15.

Capital.

16. The Capital of the Company shall be 28,000*l.*, and such Capital shall be divided into 2,800 Shares of the nominal Value of 10*l.* each.

Appropriation of Shares.

17. Six hundred and ninety-nine of the said 2,800 Shares shall be allotted to the Proprietors of Shares in the Company at the Time of the passing of this Act in proportion to their several Interests in the same, and shall be deemed to be paid-up ordinary Shares in the Company by this Act incorporated, and 699 other of the said 2,800 Shares shall be in like Proportion allotted to the Proprietors aforesaid; but such last-mentioned Shares shall be deemed to be paid up Preference Shares, and shall be entitled in priority to a fixed preferential Dividend of 4*s.* per Share per Annum from and out of the Profits of the Undertaking.

Power to raise additional Capital with 5*l.* per Cent. preferential Dividend, §§ 18 to 23, and 25, 26.
Company may call in and cancel existing Share Certificates and issue new Certificates in lieu thereof, § 24.
Power to borrow to the Amount of One Sixth of paid-up Capital, §§ 27 to 29.
Meetings; Directors, §§ 30 to 39.
Power to purchase Lands, §§ 40, 41.
Gas not to be manufactured on any other Lands, § 42.
Powers as to Construction of Gasworks, § 43.
Compelling Company to supply Consumers, § 44.
Meters; Penalties; Testing of Gas, §§ 45 to 58.

Cap. lxix.

"Portadown, Dungannon, and Omagh Junction Railway Act, 1861."

Recites Incorporation in 1847, under the Title of "The Portadown and Dungannon Railway Company," with Power to make a Railway from the Ulster Railway at Portadown in the County of Armagh to the Town of Dungannon in the County of Tyrone; that in 1857 their Name was changed to the Name of "The Portadown, Dungannon, and Omagh Junction Railway Company," and they were empowered to relinquish a Part of the Railway authorized by the Act of 1847, near Dungannon, and which Railway so altered is in this Act called the original Railway, and to make a Railway from Dungannon to join the Londonderry and Enniskillen Railway at Omagh, and the Ulster Railway Company were authorized to take a Lease of the original Railway, and also to work the Extension Railway for a limited Period; that by their Act of 1860, the Company were authorized to make certain Deviations in the Line of the Railway authorized by the Act of 1857, and which Railway as altered is hereinafter referred to as the Extension Railway, and to construct a Branch Railway at Omagh, and the Ulster Railway Company were authorized to take a Lease of the Extension Railway as well as of the original Railway, for a further Period; that "The Portadown and Dungannon Railway Act, 1853," and "The Ulster and Portadown and Dungannon Railways Act, 1856," also relate to the Company; that they have proceeded in the Execution of the said Acts, and the original Railway has been completed and opened for Traffic, and the Extension Railway is nearly completed; proposes to make a Branch Railway to the Town of Aughnacloy in the County of Tyrone, and to raise additional Capital for such Purpose.
Incorporation of General Acts, §§ 2 to 5.
Power to construct Branch Railway, §§ 6 to 8.
Inclinations of certain Roads, § 9.
Tolls on Branch Railway, § 10.
Five Years for the Completion of Works, §§ 11, 12.

Power to raise additional Capital of 75,000*l.* by new ordinary Shares, §§ 13 to 15.
Power to borrow 24,800*l.*, §§ 16 to 18.

Extension of Powers as to Lease to Ulster Company.

19. Inasmuch as the original Railway is worked by the Ulster Railway Company, and Arrangements are in progress for the Lease of the Railways and Works authorized to be made by the recited Acts to the Ulster Railway Company, and it is expedient that Authority should be given to include the Branch Railway by this Act authorized in any such Lease, or in any Working Arrangement with the Ulster Railway Company; therefore the Powers conferred by the 39th Section of the Act of 1857, and in the 27th Section of the Act of 1860, on the Company of granting, and upon the Ulster Railway Company of accepting, a Lease of the original Railway and Extension Railway, shall extend and apply to the Branch Railway authorized to be made by this Act; and the Provisions of the said Acts with reference to such Lease, and to any Working Arrangements between the Company and the Ulster Railway Company, shall extend and apply to such Branch Railway in the same Manner as if such Branch Railway had been Part of the Extension Railway.

Sect. 19. of 10 & 11 Vict. c. cxxi. repealed.

20. The 19th Section of the Act of 1847, relating to Newspapers for the Insertion of Advertisements, is hereby repealed.

Newspapers for Advertisements.

21. The Newspapers in which Advertisements relating to the Affairs of the Company are to be inserted, shall be a Newspaper published in Belfast, and a Newspaper published or circulated in the County of Tyrone.

Cap. lxx.

"The Great Northern Railway Act, 1861."

Recites that the Undertaking of the Hertford, Luton, and Dunstable Railway Company consists of Two Railways, the One (called the Hertford and Welwyn Junction Railway) connecting the Great Northern Railway at Welwyn in Hertfordshire with the Eastern Counties Railway at Hertford, the other (called the Luton, Dunstable, and Welwyn Junction Railway) connecting the Great Northern Railway also at Welwyn with the Undertaking of the London and North-western Railway Company at Dunstable; that the said Two Railways were amalgamated into One Undertaking in the Year 1858, by the Name of the Hertford, Luton, and Dunstable Railway; but they were, nevertheless, for certain Purposes, kept distinct, and separately designated as "The Hertford Section" and "The Luton Section," and their Capitals were also kept distinct, under the separate Designations of "Hertford Capital" and "Luton Capital;" that it would conduce to the Public Convenience, and to the efficient and economical Management of the said Railway, if it were transferred to the Great Northern Railway Company upon the Conditions herein-after contained; and the Great Northern Railway Company have agreed with the Hertford, Luton, and Dunstable Railway Company to ac-

cept such Transfer, subject to the Authority of Parliament; that the Acts relating directly to the Hertford Railway Company are enumerated in the First Schedule to this Act, and are herein-after called the recited Acts; that the second Schedule to this Act contains a Statement of the Capital of the Hertford Railway Company, and it is necessary that the same Company should have Power to issue Shares to the Extent of the Capital already authorized, and also to raise further Capital, for the Purpose of discharging Liabilities affecting its Undertaking; that it is expedient that the Great Northern Railway Company should have Power to purchase a certain Plot of Land at Dunstable for the Purposes of a Station; and they are desirous that the Time should be extended which is granted to them by "The Great Northern Railway Act, 1859," for executing the Works therein mentioned, in order to improve the Communication between the Great Northern and the North London Railways.

Vesting Hertford Railway in Great Northern Railway Company, § 2.

As to Interest and Dividend.

3. There shall be paid by the Great Northern Railway Company the following Sums of Money, which shall be deemed to have accrued from the 1st Day of September 1860:

Firstly. Interest on all the Liabilities of the Hertford Railway Company incurred before the passing of this Act, whether such Liabilities are immediate or deferred, and whether consisting of Debts bearing Interest by Agreement or otherwise, or Bonds, Mortgages, or Debentures of the Company, at such Rate of Interest as such Liabilities shall respectively bear: Provided, that as between the Great Northern Railway Company and the Hertford Railway Company, such Interest shall be deemed to be at the Rate of 4*l.* per Centum per Annum, and if any such Liabilities bear Interest exceeding that Rate, and the Great Northern Railway Company are required to pay the same, such Excess shall be deducted by them from the Dividends on the ordinary Shares of the Hertford Capital, or of the Luton Capital as herein-after mentioned, unless such Excess shall have been otherwise provided for by the Hertford Company:

Secondly. Dividends at the Rate of 4*l.* per Centum per Annum on the Preference Shares of the Hertford Capital, amounting to 28,400*l.*, including therein the Shares amounting to 8,400*l.*, herein-after authorized to be created, and at the Rate of 5*l.* per Centum per Annum on the Preference Shares of the Luton Capital, amounting to 50,000*l.*, and Dividends at the Rate of 4 per Centum per Annum on the Shares, amounting to 15,000*l.*, herein-after also authorized to be created:

Thirdly. Dividends until the 1st Day of April 1866, at the Rate of 1 per Centum per Annum on the ordinary Shares in the Hertford Capital, amounting to 55,000*l.*; and after the 1st Day of April 1866 and thenceforth, Dividends at the Rate of 3½ per Centum per Annum on such Amount;

and

and Dividends on the ordinary Shares in the Luton Capital amounting to 70,000*l.*, at the Rate of 3 per Centum per Annum until the 1st Day of September 1861, at the Rate of 4 per Centum per Annum from that Day until the 1st Day of September 1863, and thenceforth at the Rate of 4½ per Centum per Annum.

Limiting Liability of Great Northern Company.

4. Provided nevertheless, That the total Amount of Capital and Liabilities (excepting the Liabilities assumed by the Great Northern Railway Company with respect to the Dunstable Station) on which the Great Northern Railway Company shall, as between them and the Hertford Railway Company, be deemed liable to pay Interest or Dividends, whether consisting of ordinary or Preference Shares, Debenture Stock, Bonds, Mortgages, Debts, or otherwise, and whether before or after the Amalgamation of Capitals herein-after provided for, shall not exceed the several Sums specified in the Second Schedule to this Act: Provided also, that if the said Amount of Capital and Liabilities shall in fact exceed the said Sums, or if the Interest on the Liabilities of the Hertford Railway Company shall exceed the Rate of 4 per Centum per Annum, the Amount of Interest payable on such Excess of Capital and Liabilities, and the Amount of Interest exceeding such Rate of 4 per Centum, shall, unless such Excess of Interest be otherwise provided for by the Hertford Company, be deducted from the Dividends on the ordinary Shares of the Hertford Capital or the Luton Capital, according as the Excess shall be found to affect those Two Capitals, or the Hertford or Luton Sections respectively: Provided also, that after the existing Mortgages or Bonds of the Hertford Railway Company shall have become payable, according to the Course stipulated by such Mortgages or Bonds, the same Company shall not be liable to pay any Excess of Interest beyond 4*l.* per Centum per Annum on the several Sums of Money secured thereby.

Power to Hertford Railway Company to raise additional Capital.

5. The Hertford Railway Company may from Time to Time raise (in addition to the Sums of Money which they are already authorized to raise) any further Sums not exceeding in Increase of the Hertford Capital 8,400*l.*, and in Increase of the Luton Capital 15,000*l.*; and the said Amounts may be raised by the Creation of new Shares of the said Capitals respectively, of such Amounts as will allow the same to be conveniently apportioned or disposed of, according to the Resolution of any Ordinary or Extraordinary Meeting of the Company; and the Company may from Time to Time, but subject to the Provisions of this Act, fix the Amounts and Times of Payment of the Calls on Shares so created, and dispose of such Shares on such Terms and Conditions as may be so resolved upon: Provided always, that the Holder of Shares in the Hertford Capital shall not vote in respect thereof on any Question relating to the Luton Capital, nor shall any Holders of Shares in the Luton Capital vote in respect thereof on any Question relating to the Hertford Capital.

As to Dividends on Shares

6. The Shares so to be issued with respect to the Hertford Capital and the Luton Capital shall entitle the Holders thereof

of Hertford Capital.

to a preferential Dividend at the Rate of 4 per Centum per Annum, payable according to the Provisions of this Act by the Great Northern Railway Company.

Incorporation of Parts of Companies Clauses Act, § 8.
Periods of Payment, § 9.
As to Appointment of a Receiver, § 10.
Saving existing Agreements, § 11.

Providing for Amalgamation of Capital.

12. It shall be lawful for the Great Northern Railway Company, and they are hereby required (upon giving One Month's Notice thereof in Writing addressed to the Proprietors of Shares in the Hertford Railway Company at their last known Places of Abode) to fix a Time, not later than Three Months after the passing of this Act, at which they will convert the Shares of the Hertford Railway Company into Shares or Stock of the Great Northern Railway Company; and the last-named Company may for that Purpose create Stock of such Amounts as shall be convenient for the Exchange, and bearing the several fixed Rates of Dividend herein-before secured to the Shares in the Hertford Railway Company; and upon the Day so fixed, or whensoever afterwards any such Proprietor shall, at such convenient Places as the Great Northern Railway Company shall have designated in the said Notice, surrender the Certificates of the Shares so held by him, and duly paid up, he shall receive in the Stead thereof Certificates for Stock in the Great Northern Railway Company, bearing the same Rate of Dividend as is herein-before secured on the Shares so delivered up; and every Proprietor shall, upon Tender of his Proportion of the said Stock, deliver up to the Great Northern Railway Company to be cancelled the Certificates of the Shares which such Stock is to replace; and the said Stock shall be held by the Person to whom it is delivered, upon the same Trusts and for the same Purposes as attached to the said cancelled Shares.

Hertford Railway to vest in Purchasers absolutely, § 13.
Saving of Rights and Liabilities, §§ 14 to 24.
As to superfluous Land, § 25.
As to Land at Dunstable, § 26.
For facilitating Transmission of Traffic between Luton and the London and North-western Railway, § 27.
Reciprocal Powers to Great Northern Railway Company at Dunstable, § 28.
Great Northern Railway Company may apply their Funds towards Purposes of Act, § 29.
Power to same Company to raise additional Capital of 20,000*l.* with or without a Preference not exceeding 5*l.* per Cent., §§ 30 to 34.
Power to borrow 6,000*l.*, §§ 35 to 38.
Time granted by 22 Vict. c. xxxv. extended; Parties aggrieved may have Compensation; and Contracts and Notices not to be affected, § 39.
Saving Rights of the Crown, § 43.

SCHE-

SCHEDULE I.

Enumerating the Acts relating to the Hertford, Luton, and Dunstable Railway Company.

17 & 18 Vict. c. cxxvii.; 18 & 19 Vict. c. cxlvi.; 19 & 20 Vict. c. lxix.; 21 & 22 Vict. c. lxxiv.; 22 & 23 Vict. c. xxxiii.

SCHEDULE II.

Statement of Capital and Liabilities of the Hertford Railway Company.

HERTFORD SECTION.

	£	£
Ordinary Capital paid up in full - - -		55,000
Mortgage Debt - - - -	21,600	
Four per Cent. Preference Shares - -	20,000	
Liabilities - - - - -	8,400	
		50,000
		£105,000

LUTON SECTION.

	£	£
Ordinary Capital paid up in full - - -		70,000
Five per Cent. Preference Shares already raised -		50,000
Mortgage Debt - - - -	40,000	
Liabilities - - - - -	15,000	
		55,000
		£175,000

Cap. lxxi.

"Mr. Sneyd's Railway Act, 1861."

Proposes to authorize the Construction of Bridges over Highways, and Arches under a Turnpike Road and Highways, in the Parishes of Wolstanton and Audley in the County of Stafford.

Certain Provisions of Railways Clauses Act incorporated, § 3.

Power to construct Arches under and Bridges over Highways and Road, § 4.

Three Years for Completion of Roads, § 5.

Power to deviate, § 6.

Lands for extraordinary Purposes, § 7.

Costs of Works to be paid by Undertakers, § 8.

Saving Agreement between Mr. Sneyd and North Staffordshire Railway Company, § 10.

Cap. lxxii.

"The Frosterly and Stanhope Railway Act, 1861."

Proposes the making of a Railway from the Stockton and Darlington Railway, at or near the Frosterly Station, to Newlandside, near Stanhope, with a Road Approach from

Stanhope, all in the County of Durham; and the authorizing Working Arrangements with the Stockton and Darlington Railway Company.
Incorporation of General Acts, § 2.
Subscribers incorporated, with a Capital of 10,000*l.* in Shares of 20*l.*, and with Power to borrow 3,300*l.*, §§ 3 to 9.
Meetings; Directors, §§ 10 to 16.
Power to make Railway, §§ 17 to 19.
Two Years for Lands to be purchased by Compulsion, § 20.
Three Years for Completion of Works, §§ 21, 22.
County Road at Frosterly Bridge not to be crossed at the Level, § 23.
Certain Road not to be crossed on the Level, § 24.
Junction with Stockton and Darlington Railway Company, §§ 25 to 27.
Tolls, §§ 28 to 35.
Power for the Stockton and Darlington Railway Company and the Company to enter into Traffic Arrangements, §§ 36 to 41.
Power to Stockton and Darlington Railway Company to subscribe and hold Shares to not exceeding 2,500*l.*, § 42.

Cap. lxxiii.

"The Uxbridge and Rickmansworth Railway Act, 1861."

Proposes the making of a Railway from the Uxbridge Branch of the Great Western Railway, near the Uxbridge Station of that Railway, in the County of Middlesex, to communicate with the authorized Line of the Watford and Rickmansworth Railway, at the Termination thereof near Rickmansworth, in the County of Hertford, with a Branch to Scott's Bridge Mill in the Parish of Rickmansworth and County of Hertford; to authorize the Company and the Great Western Railway Company to enter into Traffic and Working Agreements; and to enable the Great Western Railway Company to contribute to the said Undertaking.
Incorporation of General Acts, § 1.
Subscribers incorporated, with a Capital of 70,000*l.* in Shares of 10*l.*, and Borrowing Powers to 23,300*l.*, §§ 3 to 8.
Directors; Meetings, §§ 11 to 17.
Power to make Railway and Branch Railway, §§ 18, 19.
Provision as to crossing of public Road in Village of Denham, § 20.
River Colne to be crossed by Bridge of a single Span, § 21.
Provision as to Construction of Railway between certain Properties, § 22.
Provision as to Beaconsfield and Redhill Turnpike Roads, § 23.
Saving Rights of the Grand Junction Canal Company, §§ 24 to 27.
Lands to be purchased by Compulsion within Two Years, § 29.
Three Years for Completion of Railways, §§ 30 and 57.
As to Communication with the Great Western and Watford and Rickmansworth Railways, §§ 31 to 33.

Tolls, §§ 34 to 41.
Railways shall be constructed upon the Broad Gauge, § 42.
Great Western Company may contribute 30,000*l.* towards Funds of Company, §§ 43 to 47.
Power to enter into Traffic Agreements with the Great Western Company, and into Working Agreements, §§ 48 to 56.

Cap. lxxiv.

"The Birmingham Canal Navigations Act, 1861."

Recites several Acts prior to 1846 relating to the Company; that by "The London and Birmingham Railway and Birmingham Canal Arrangement Act, 1846," Provision was made for the Guarantee by the London and Birmingham Railway Company (now merged in the London and North-western Railway Company) of an annual Dividend of 4*l.* per Share on 17,600 then existing Shares in the Capital of the Company, and also on every Share into which the unallocated Debt owing by the Company or any Part thereof should, with the Consent of the North-western Company, be converted in case the annual Profits or Income of the Company, after deducting Expenses and Interest on their unallocated Debt and other Outgoings in the reciting Act specified, should be insufficient to produce a Dividend of that Amount, and for extending that Guarantee to 2,060 additional Shares and Six Eighths of a Share, which might be added to the Capital of the Company if any Bill for the Consolidation of the Dudley Canal Navigation with the Birmingham Canal Navigations should be passed into a Law during the then Session of Parliament; that 9 & 10 Vict. c. cclxix. was passed for the Consolidation of those Navigations; that by "The Birmingham, Wolverhampton, and Stour Valley Railway Act, 1846," Birmingham, Wolverhampton, and Dudley Lines, the Company were authorized to subscribe towards and to become Shareholders in the Undertaking by that Act authorized in their own Name to the Extent of One Fourth Part of the Capital of the Birmingham, Wolverhampton, and Stour Valley Railway Company, or to any less Extent, and to raise the Sum agreed to be subscribed by them or any Portion thereof by Mortgage or Bond; that in pursuance of those Powers the Company have borrowed the Sum of 190,087*l.* 10*s.*, and have applied such Sum in Payment of their Subscription to the same Amount for Shares of the Capital of the Stour Valley Company; that under Section 21 of "the Act of 1846," the Monies which the Company have so borrowed, and the Profits from the Shares so subscribed for, are not to be considered Part of the Property of the Company with reference to the Guarantee of the North-western Company; that the North-western Company are willing, and it is expedient that their Guarantee be extended to those Monies; that by "The Birmingham Canal Navigations Act, 1854," the Company were authorized to make and maintain new

Canals, Tramways, and other Works, and to raise by Mortgage of their Undertaking a further Sum of 80,000*l.*, with a Provision that the Sums from Time to Time borrowed and owing by the Company under and by virtue of that Act should be deemed Part of their unallocated Debt, and, until the Monies borrowed under that Act had been paid, the Company should not make a yearly Dividend exceeding 4*l.* per Share, and with a further Provision for a Sinking Fund for the Discharge of the Monies so borrowed; that they have borrowed the whole of that Sum of 80,000*l.*; that by "The Birmingham Canal Navigations Act, 1855," the Company were authorized to make and maintain a Canal commencing in the Parish of Rowley Regis in the County of Stafford, and terminating in the Parish of Dudley in the County of Worcester (being the Canal in that Act first described), with a Tunnel thereon, and other Canals and Works, and for those Purposes to raise any additional Sums not exceeding 238,300*l.*, by Shares of the same Amount per Share as the then existing Shares in the Capital of the Company; that by "the Act of 1855" the Guarantee of the North-western Company was extended to every new Share for the Time being created and issued under that Act, with a Provision that the Company should not make in any Year a Dividend exceeding 4*l.* 10*s.* per Share until a Part of their unallocated Debt equal to the total Monies raised by the Issue of Shares under the Authority of that Act should have been fully repaid; and also with a Provision for setting apart a Sinking Fund to pay off that Part of their unallocated Debt; that in pursuance of "the Act of 1855" the Company have created and issued 2,647 Shares, which have been fully paid up; that by "The Birmingham Canal Navigations Act, 1858," the Company were authorized for the Completion of the several Canals and Works authorized by "the Act of 1855," to raise additional Capital not exceeding in the whole 100,000*l.*, by the Creation and Issue of new Shares, and Provision was thereby made for the Extension to every such new Share of the Guarantee of the North-western Company; that under the Authority of "the Act of 1858" the Company have created and issued 1,096 Shares, which have been fully paid up; that since the passing of "the Act of 1858," the Canals and Works first and thirdly described in "the Act of 1855" have been opened for public Traffic, but the Purchase Money for Portions of the Lands and Mines required for those Works still remains unpaid, and divers Works in connexion therewith are yet unfinished; that by virtue of the several recited Acts the Company owe on Mortgage (including the Sum of 190,087*l.* 10*s.* borrowed under the Stour Valley Act), the total Sum of 1,067,487*l.* 10*s.*, and the same now forms the unallocated Debt of the Company; that the Monies which the Company have raised under the recited Acts or any of them have proved insufficient for the Completion of the whole of the Works by those Acts respectively authorized, and for the other Purposes thereof; that it is expedient that the Com-

pany be authorized to raise further Sums by Shares and by borrowing; that the North-western Company are willing to extend their Guarantee in respect of the Sums raised under this Act, and it is expedient that Provision be made for its being so extended; and that further Provision be made with respect to the Sinking Fund to be formed by the Company.

Parts of 8 & 9 Vict. c. 16. incorporated, §§ 2, 3.

Power to raise additional Capital by new Shares.

4. The Company from Time to Time may raise by the Creation and Issue of new Shares under this Act any additional Capital not exceeding 75,000*l.*

Application of Money raised under this Act.

5. Provided, That Part of the Monies raised by the Company under this Act by new Shares shall be applicable to the Completion of the Canal first described in "the Act of 1855," and the Tunnel and the Works and Conveniences connected therewith respectively, and the Purchase of Lands and Mines required for the same respectively, and the Payment of the Costs, Charges, and Expenses of and incident to the applying for, obtaining, and passing of this Act; and the Remainder of the Monies raised under this Act by Shares or by borrowing shall be applicable for any of the Purposes by the several Acts from Time to Time relating to the Company respectively authorized.

New Shares of the same Amount as existing Shares.

6. The new Shares issued by the Company under this Act shall be of the same Amount per Share as the existing Shares in the Capital of the Company.

Issue of new Shares.

7. With and subject to the Assent of the North-western Company, signified either under the Common Seal of that Company or under the Hand of the Chairman of that Company, the Company from Time to Time, with the Sanction of a Majority of at least Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at a General Assembly of the Company specially convened for that Purpose, may create and issue the new Shares under this Act at such Rate or Price per Share, and on such Terms and Conditions, and in such Manner as the Company from Time to Time think fit, and may dispose of such Shares at not less than the nominal Value, either by public Tender or in such other Manner as the Company from Time to Time (with and subject to such Assent of the North-western Company as aforesaid) determine: Provided always, that the Company shall not create or issue any such new Shares with any Preference or Priority in Payment of Dividend over any other Shares of the Company.

Dividends on new Shares.

8. Unless otherwise ordered by any such General Assembly, before the Issue of the Shares to which such Order relates, every Person who becomes entitled to a new Share created and issued under this Act shall in respect of the same be a Shareholder of the Company, and shall be entitled to a Dividend with the Holders of the existing Shares in proportion to the Amount from Time to Time paid up on such new Share.

New Shares to be subject to same incidents as existing Shares.

9. Subject to the Provisions of this Act, the new Shares created and issued under this Act, and the Holders thereof, shall in all respects be entitled to the like Rights and Privileges, and be subject to the like Modes of Transfer, Powers, Provisions,

visions, Liabilities, and Incidents whatsoever as the existing Shares in the present Capital of the Company and the Holders thereof are entitled or subject to under or by virtue of the recited Acts, or any of them.

Guarantee of North-western Company extended to Share Capital under this Act.

10. The Guarantee by the North-western Company of a minimum annual Dividend of 4*l.* in respect of every Share in the Share Capital of the Company, as provided by Section 15 and the other Provisions of "the Act of 1846," shall extend to and include every new Share for the Time being created and issued under this Act from and after the Time of the issuing thereof: Provided always, that such minimum guaranteed Dividend of 4*l.* shall, in case of any such new Share not fully paid up, be payable only in proportion to the Amount from Time to Time paid up on such new Share.

Restriction of Power to borrow on Mortgage.

11. The Company from Time to Time (with and subject to the Assent of the North-western Company, signified in Writing either under the Common Seal of that Company or under the Hand of the Chairman of that Company) may borrow on Mortgage of their Undertakings not exceeding 25,000*l.*

Priority of existing Mortgages.

12. Provided, That all Mortgages granted by the Company under the recited Acts or any of them, and now in force or hereafter to be made in pursuance of those Acts or any of them, shall have Priority over all Mortgages granted by the Company under this Act.

Money borrowed under this Act to be included in the Guarantee of the North-western Company.

13. For the Purpose of ascertaining from Time to Time the annual Amount of Deficiency to be paid by the North-western Company by way of Guarantee, as provided by "the Act of 1846," the Sums of Money for the Time being borrowed under and owing by the Company by virtue of this Act shall be deemed Part of the unallocated Debt owing by the Company, and the Interest thereof shall be deducted from the gross annual Income of the Company as if the same were Part of the unallocated Debt owing by the Company at the Time of the passing of "the Act of 1846."

Guarantee of North-western Company extended to Monies subscribed to Stour Valley Railway under 9 & 10 Vict. c. cccxxviii.

14. Section 21 of "the Act of 1846" is by this Act repealed, and for the Purpose of ascertaining from Time to Time the annual Deficiency to be paid by the North-western Company by way of Guarantee, as provided by "the Act of 1846," the Monies raised by the Company for the Purpose of subscribing for Shares in the Undertaking authorized by "the Stour Valley Act," shall be deemed to be Part of the unallocated Debt owing by the Company, and the Interest thereof shall be deducted from the gross annual Income of the Company as if the same were Part of the unallocated Debt owing by the Company at the Time of the passing of "the Act of 1846," and the respective Dividends and other Profits upon or in respect of the Shares so subscribed for by the Company in the said Undertaking shall be included in and considered Part of the Income of the Company.

No Dividend above 4*l.* per Share until Monies borrowed under this Act are paid off.

15. Until the Money borrowed under the Authority of this Act has been wholly paid and satisfied, the Company shall not in any Year make a Dividend to a greater Amount than 4*l.* in respect of each Share in the Share Capital of the Company.

16. Subject

Dividend limited to 4*l.* 10*s.* per Share until Part of Company's Debt equal to the Sum raised by Shares under Act and under Stour Valley Act be paid off.

16. Subject to the Provisions of "the Act of 1854" and of this Act respectively for the Repayment of the Monies for the Time being borrowed and owing by the Company under or by virtue of the same respectively, the Company shall not make in any Year a Dividend to a greater Amount than 4*l.* 10*s.* in respect of any Share in the Capital for the Time being of the Company until a Part of the unallocated Debt of the Company equal in Amount to the total Monies borrowed by the Company under the Stour Valley Act, and so applied in Payment of their Subscription to the Stour Valley Company as aforesaid, and the total Monies raised by Shares under the Authority of this Act, and such further Sum of Money as shall be agreed upon in that Behalf between the Company or their Committee of Management and the Directors of the North-western Company, shall have been fully repaid and satisfied; but such Repayment under this Act shall not commence until the total Amount of the Monies for the Time being borrowed and owing by the Company under and by virtue of "the Act of 1854" and this Act respectively have been fully repaid and satisfied.

Sinking Fund for Discharge of Loan.

17. Section 35 of "the Act of 1854" is by this Act repealed, and subject to the Repayment by the Company of the whole of the Monies from Time to Time owing by them upon Mortgage, the Company shall from and after the passing of this Act and until the whole of the Monies from Time to Time borrowed under "the Act of 1854" and this Act respectively are fully repaid or satisfied, set apart out of the net Income or Revenue of their Undertaking, a yearly Sum equal to at least One Twentieth Part of the Principal Monies borrowed under "the Act of 1854" and this Act respectively, unless the North-western Company in any Year assent to a smaller Sum being set apart, such Assent being signified in Writing under the Common Seal of the North-western Company, or under the Hand of the Chairman of that Company; and the Amount so from Time to Time set apart shall form a Sinking Fund to be applied in paying off the Principal Monies borrowed under "the Act of 1854" and this Act respectively.

Mode of paying off Mortgages.

18. Whenever the Company are able to pay off One or more of the Mortgages made under this Act and then payable, and are not able to pay off all the Mortgages of the same Class, they shall decide by Lot the Order in which the Mortgages of the same Class shall be paid off, and shall cause a Notice signed by the Clerk to the Company to be given or left at the last known Place of Abode in England of the Person entitled to the Money to be paid off; and the Notice shall state the Amount intended to be paid off, and that the same, together with the Interest due thereon, will be paid at a Place to be specified in the Notice at the Expiration of Six Months after the Time of the Notice being given, or at the Period fixed by the Mortgage for the Repayment of the Principal Money thereby secured, if that Period shall precede the Expiration of Six Months from the Time of the Notice being given.

Confirmation of certain Leases.

19. Whereas the Company have granted the Leases mentioned in the Schedule to this Act for valuable Consideration, and

and Doubts have been raised as to the Power of the Company to grant such Leases, and it is expedient that such Doubts should be obviated: Therefore the Leases mentioned in the said Schedule shall be deemed to have been properly granted, and the same are hereby confirmed.

Expenses of Act.

20. All the Costs, Charges, and Expenses of and incident to the applying for, obtaining, and passing of this Act shall be paid by the Company.

Schedule.—(Lands leased.)

Cap. lxxv.

"Manchester and Wilmslow Turnpike Roads Act, 1861."

Recites that the Term granted by an Act passed in the 11th Year of George the Fourth, intituled "An Act for more "effectually repairing and improving the Road from Chorl- "ton Row, near Manchester, in the County Palatine of Lan- "caster, to the Bridge at the Cornmills at Wilmslow in the "County Palatine of Chester," will expire at the End of the Session of Parliament next after the 8th April 1861, and that the Road cannot be maintained, repaired, and improved unless the Term by the recited Act granted be extended, and further Provisions be made; and that it is expedient that a Portion of the Road be widened and improved, and it would be a great Advantage to the Owners of Property in the Townships of Northen and Withington, in the said Counties Palatine, if the Branch Road herein-after described were constructed; and that the Maintenance and Repair of a Portion of the Road which, as to the whole Width thereof, is situate within the District of the Local Board of Health for the Township of Rusholme, be transferred to that Local Board.

Commencement and Term of Act.

2. This Act shall commence on the passing thereof, and shall continue for the Term of 21 Years from that Day inclusive, and thenceforth to the End of the then next Session of Parliament.

Cap. lxxvi.

"The Henley-in-Arden Railway Act, 1861."

Proposes to make a Railway from the Birmingham and Oxford Junction Railway (belonging to the Great Western Railway Company) in the Parish of Rowington in the County of Warwick to Henley-in-Arden in the same County.

Incorporation of Companies, Lands, and Railways Clauses Acts, §§ 2, 3.

Henley-in-Arden Railway Company incorporated, with a Capital of 18,000*l.*, and Power to borrow 6,000*l.*, §§ 4 to 11.

Meetings; Directors, §§ 12 to 20.

Power to make Railway, § 21.

Two Years for compulsory Purchase of Land, § 22.

Three Years for Completion of Works, §§ 23, 34.

Railway and Works authorized, § 25.

Power to alter Engineering Works, § 26.

Gauge of Railway, § 27.
Junctions with Birmingham and Oxford Junction Railway, § 28.
For Protection of the Stratford-upon-Avon Navigation and West Midland Railway Company, § 29 to 33.
Great Western Railway Company and the Company empowered to enter into Working Arrangements, §§ 35 to 43.
Tolls, §§ 44 to 52.
Saving Rights of Great Western Railway Company, § 53.

Cap. lxxvii.

"The Darlington Local Board Act, 1861."

Recites that by "The Darlington Local Board Act, 1854," the Local Board of Health of the District of the Township of Darlington, who then possessed certain Powers for supplying their said District with Gas and Water, were empowered to purchase, and they since have purchased, from the Darlington Gas and Water Company, incorporated in 1849, the whole of the Gasworks, Mains, and Pipes of the Company, and so much of their Waterworks, Mains, and Pipes as were used for the Supply of the District with Water; that the Townships of Cockerton, Blackwell, Whessoe, and Haughton-le-Skerne, in the County of Durham, immediately adjoin the District, and the said Townships are not supplied with Gas, and are very insufficiently supplied with Water; that it would be of local and public Advantage if the County Bridge in the District, called the Church Bridge, and the several Streets therein, called Parkgate and Station Street, were respectively widened, altered, and improved, and if certain new Approaches were made to the Railway Station on Bank Top; and if a Portion of the Stockton and Barnard Castle Turnpike Road within the District were widened and improved; that it would also be of local Advantage if the Market Place in the District were enlarged, by purchasing and pulling down the Blocks of Houses therein, called Bakehouse Hill and Church Row, or some of them, and if a covered Market were erected in the said Market Place adjoining the Town Hall; and that the Local Board should be authorized to purchase the Patronage of, and the Power to appoint, the Bailiff of the Borough, and also the Emoluments of the said Office, and after such Purchase to abolish the same, and to enable the Chairman of the Local Board to execute any of the Duties of such Bailiff which it may be necessary or convenient to retain; that it would be attended with a Saving of Expense to the District if the Powers of the Burial Board for the District were vested in the Local Board, and the Burial Board discontinued; and also it would be advantageous to the District if the Local Board were authorized to purchase the Water Corn Mill in the District, called "Blackwell Mill," and the Mill-head and Dam belonging thereto, and to abolish the same, and draw off the Waters of the said Mill-head and Dam, and appropriate the Site thereof to other Purposes.

Limits of Act for Supply of Gas and Water.

3. The Limits of this Act for the Supply of Gas and Water shall extend to and include the several Townships of Cockerton, Blackwell, Whessoe, and Haughton-le-Skerne, all in the County of Durham, and the Lands, Houses, Buildings, and Places within those Limits shall be called the Outer District, and the Limits of this Act for all the other Purposes thereof shall extend to and include the whole of the District of the Township of Darlington (herein referred to as the District), and all the Lands and Places within the same; and such District shall for all Purposes be deemed and taken to be the Town of Darlington.

Lands Clauses Act incorporated, §§ 4, 5.

The Local Board to execute Act, and may appoint a Gas and Water Committee and other Committees, §§ 6 to 8.

Minute Books of Gas and Water Committees to be open to Inspection, § 9.

Local Board to appoint Officers, § 10.

The Gasworks Clauses Act to be incorporated, § 11.

Streets, &c. under the Control of the Local Board may be broken up without Notice, § 12.

Power to light the Outer District, § 13.

Power to construct Works, § 14.

Power to lay Pipes for lighting Buildings, § 15.

Maximum Price to be charged for Gas supplied by Meter in the Outer District, § 16.

Waterworks Clauses Act extended to this Act, § 17.

Power for Local Board to supply Water, § 18.

Works for Water Supply, § 19.

Power to make new Waterworks, to take Water, and purchase Lands, §§ 20, 21.

Works to be completed in Seven Years, § 22.

Power to lay down Pipes for Gas or Water, § 23.

Rates at which Water is to be supplied for domestic Purposes; if there be a Watercloset, § 24.

Power to Local Board to remit Charges, § 25.

What shall be domestic Purposes, § 26.

Water for other than domestic Purposes to be supplied by Agreement, § 27.

Penalty for using Water for other than domestic Purposes without Agreement, § 28.

Recovery of Charges for Water, § 29.

Cisterns to be supplied with proper Ballcocks or other Apparatus, § 30.

Closets and Baths to be so constructed as to prevent Waste, or the Flow or Return of impure Matter into the Mains, &c., § 31.

Regulations may be made by the Local Board for preventing Waste of Water, § 32.

Penalty for suffering Pipes, &c. to be out of Repair, § 33.

Local Board may repair Pipes, &c., § 34.

Particulars of Penalties shall be published, § 35.

Reservoir Provisions, §§ 36 to 46.

Roads and other Works, § 47.

Power to make new Roads, &c., § 48.
Certain Lands, &c. not to be taken without Consent, § 49.
Power to purchase Houses for Market and Blackwell Mill, &c., § 50.
Markets and Fairs Clauses Act incorporated, § 51.
Market Clauses of Act of 1854 to apply to Markets under this Act, § 52.
Defining Limits of Market Place, § 53.
Power to construct covered Market, § 54.
Five Years for compulsory Purchase of Lands for enlarging Market, § 55.
Ten Years for Completion of Works, § 56.
Sales elsewhere than in Markets prohibited under a Penalty of Forty Shillings, § 57.
Tolls to be taken in extended Market Place, § 58.
Power to lease Market and Fair Tolls, § 59.
Power to lease Standings in the Market, § 60.
Power to agree with Surveyors of adjoining Townships for Repair of public Footpaths, § 61.
Local Board may agree with Trustees of Stockton and Barnard Castle Turnpike Road for the Widening and Improvement of Part of that Road, § 62.

Power to purchase and abolish Office of Bailiff of Borough.

63. It shall be lawful for the Local Board, by Agreement with the Ecclesiastical Commissioners for England, to purchase, and for the said Commissioners to sell to the Local Board, the Patronage of the Office of, and the Power to appoint, the Bailiff of the Borough of Darlington, and the Profits belonging to that Office, and any Lands the Rents of which are applicable to the Payment of that Officer; and after such Purchase it shall be lawful for the Local Board to abolish the said Office, and to declare that after a Day to be named the said Office of Bailiff of the Borough of Darlington shall cease, and that all the Duties and Powers theretofore exercised by that Officer will be exercised by the Chairman of the Local Board, and the Emoluments thereof received by the Treasurer of that Board, and Fourteen Days at least before the Day to be named for such Transfer, Notice thereof shall be given by the Local Board in Two Newspapers usually circulating in Darlington, and after such Day and Notice the Powers of the Bailiff of the said Borough may be exercised by the Chairman of the Local Board accordingly, and the Emoluments of the said Office and of the Lands belonging thereto, shall be paid to the Treasurer of the District, and be carried to the Account of the General District Rate of the District.

Power of Burial Board vested in Local Board, § 64.
Recovery of Penalties under Byelaws, § 65.
Evidence of Byelaws, § 66.

Public Park-keepers may be sworn as Constables.

67. It shall be lawful for any Two Justices of the Peace for the County of Durham, and they are hereby required, upon the Application of the Local Board, from Time to Time to appoint and swear in any Person or Persons nominated by the Local Board to be a Keeper or Keepers of the Public Park in

the Parish of Darlington to be a Special Constable or Constables within the said Park and within the District, and every Park Keeper so sworn as a Special Constable within the said Park or within the District, and all other Constables acting within the District, may lawfully take into Custody and deal with any Person committing any Offence in breach of any Byelaw made or to be made by the Local Board, in the same Manner in all respects as if such Offence had been committed in breach of any Byelaw made by a Municipal Corporation under the Provisions of the Acts relating to Municipal Corporations in England and Wales, or any of such Acts.

County Police may exercise Power of District Constables.

68. All Police Constables of the County of Durham acting or required to act as Constables within the District, may within the District exercise all the Powers and Authorities, and discharge all the Duties which any Constable by the Act of 1854 and the Provisions of the "Town Police Clauses Act, 1847," incorporated therewith, authorized to be appointed and sworn as therein provided, would if so appointed and sworn, be competent to exercise and discharge as a Constable within the District acting in exercise of the Power contained in such Act and Provisions respectively.

Lands and Houses acquired under this Act to be vested in Local Board as a Body Corporate, § 69.

Improvement Rates for Expenses of executing Act by Local Board, § 70.

Improvement Rates may be collected with General District Rates, § 71.

Incorporation of the Sections of the Commissioners Clauses Act respecting Mortgages, § 72.

Amount to be borrowed.

73. The Board may from Time to Time, under the Authority of this Act, borrow at Interest on Mortgage of the Gas and Water Rates, and of the Markets and Fairs Tolls, and other Revenue of the Local Board arising therefrom, and of the General Improvement Rates, or of any of such Securities, either together or separately, all such Sums as they may from Time to Time think requisite for all or any of the Purposes of this Act, not exceeding in the whole the Sum of 100,000*l.*

Other Powers of Local Board not to be affected, § 74.

Power to reborrow, § 75.

Receiver of Mortgages, § 76.

Income of Local Board under Act, § 77.

Expenditure by Local Board under Act, § 78.

Not to affect Powers of Local Board under Public Health Act, § 82.

Recovery of Sums not exceeding 50*l.*, § 83.

Penalty for taking Water from Pipes of Consumers, § 84.

Recovery of Monies by Local Board, § 85.

Application of Penalties, § 86.

Saving Rights of Local Board, § 89.

Schedules.

A. (Market Tolls).

B. (Cattle Market Tolls).

C. (Weighing and Measuring Tolls).

D. (Tolls for Weighing Carts).

Cap. lxxviii.

"Thorne Moor Improvement Act, 1861."

Recites an Act of 1848 for draining, warping, and otherwise improving Thorne Moor, in the West Riding of Yorkshire, by which Act a Company was incorporated under the Style of "The Thorne Moor Improvement Company," with Power to purchase by Compulsion and hold certain Lands in or near the said Moor for the Purpose of the Works of warping, and to purchase by Agreement other Lands for the Purpose of improving the same, or to facilitate such Improvement; that the Powers granted by the said Act for the compulsory Purchase of Lands have expired, but the Powers granted for the Execution of the Works of Drainage, warping, and improving will not expire until the Year 1868; that the said Act was obtained and the Company thereby incorporated was formed in the Expectation that a Railway, called "The Great Northern Railway (Isle of Axholme Extension)," authorized by an Act of Parliament passed in the Year 1848, would be constructed across Thorne Moor, and would afford great Facilities for the warping thereof, and by the said Act Provision was made for such Facilities; but the Powers of the said Act were never carried into effect, and the Operations of the Company in improving the said Moor have been suspended, and it is expedient that certain of the Powers of the Company should be extended; that in the Act of 1848 Provision is made for the Settlement by Arbitration of certain Disputes which had long subsisted between the Participants of the Level of Hatfield Chase and the Owners of the said Moor Lands, and among the said Owners themselves; and an Agreement has been come to between the said Participants and the said Owners which it is expedient to carry into effect; and it is also expedient that a certain Lease of Part of the said Moor Lands should be confirmed, which was granted many Years since to Ralph Creyke, Esquire, and the Right Honourable Thomas Henry Sutton Sotheron Estcourt, and on the Faith of which Lease the Lessees have expended considerable Sums of Money in improving Parts of the Moor Lands, and it is expedient that the said Act should be in other respects amended as herein-after is contained.

Varying Qualification of Directors, § 1.
As to Lands leased to Mr. Creyke and Mr. Sotheron Estcourt, § 2.
Powers to inclose, &c. extended, § 3.
One thousand Acres specially allotted, § 4.
Notice to be given of Allotment, § 5.
Declaration of Allotment to be deposited, § 6.
One thousand Acres allotted to be sold, § 7.
As to Application of Purchase Money, § 8.
As to Settlement of Expenses, § 9.
Providing for their Payment, § 10.

As to draining, warping, and improving Moor Lands, § 11.
As to Application of Purchase Money, § 12.
Exchange of cultivated Lands for Moor Lands, § 13.

Cap. lxxix.

"The Hull Docks Act, 1861."

Preamble recites that by the Act of the 14th Year of George the Third (1774), Chapter 56 (the short Title of which Act is the "Kingston-upon-Hull Dock Act, 1774"), the Dock Company at Kingston-upon-Hull were incorporated, and authorized to make and maintain at Kingston-upon-Hull the Dock formerly called the "Old Dock," but now called the "Queen's Dock," with a Communication from the River Hull, the lower Part of which River is now called the "Old Harbour," and were authorized to demand and take Tonnage Rates on Vessels and Wharfage Rates on Goods, and Provision was made for the Execution of the Works, and the Management of the Docks being carried into effect, not by the Company but by Commissioners under the Act, and the Guild or Brotherhood of Masters or Pilots Seamen of the Trinity House in Kingston-upon-Hull were authorized to appoint a Dock and Haven Master for the Purposes of the Act; that by the Act (Local and Personal) of the 42d Year of George the Third (1802), Chapter 91 (the short Title of which Act is the "Kingston-upon-Hull Dock Act, 1802"), the Company were authorized to make and maintain (and they made and still maintain) a Second Dock at Hull, now called the "Humber Dock," with a Basin thereto, now called the "Humber Dock Basin," and a Third Dock, formerly called the "Junction Dock," but now called the "Prince's Dock;" that the Act (Local and Personal) of the 45th Year of George the Third (1805), Chapter 42 (the short Title of which Act is the "Kingston-upon-Hull Dock Act, 1805"), was afterwards passed with respect to the Company; that by the Act (Local) of the Session (1844) of the 7th and 8th Years of Her present Majesty, Chapter 103 (the short Title of which Act is the "Kingston-upon-Hull Dock Act, 1844"), the Company were authorized to make and maintain (and they made and still maintain) at Hull a Fourth Dock, now called "the Victoria Dock," with Basins and a Timber Pond respectively connected therewith, and a Fifth Dock, now called "the Railway Dock," communicating with the Humber Dock, and were authorized to demand and take, in addition to the Inward Wharfage Rates on Goods theretofore granted to them, Outward Wharfage Rates on Goods, subject in the Events and at the Times therein specified, to Revision, Limitation, or Extinction by the Board of Trade, and Exemption in the Events therein expressed from Tonnage Rates and Wharfage Rates granted to the Company was provided for Vessels using any Dock thereafter constructed within the Limits of the Port of Hull by any Parties other than the Company, and Provision was thereby made for a new Body of Commis-

sioners for managing the Trade and Business of the Docks, and with Authority to make Byelaws for the Purpose, and Provision was thereby made for the watching of the Docks by the Borough Police of Kingston-upon-Hull; that by the Act (Local) of the Session (1845) of the 8th and 9th Years of Her present Majesty, Chapter 5 (the short Title of which Act is the "Kingston-upon-Hull Dock Act, 1845"), the Company were authorized to enlarge (and they accordingly enlarged) the Railway Dock, and further Provision was made with respect to the Tonnage Rates and Wharfage Rates payable to the Company; that the Act (Local) of the Session (1847) of the 10th and 11th Years of Her present Majesty, Chapter 283 (the short Title of which Act is the "Kingston-upon-Hull Dock Act, 1847"), and the Act (Local) of the Session (1849) of the 12th and 13th Years of Her present Majesty, Chapter 69 (the short Title of which Act is the "Kingston-upon-Hull Dock Act, 1849"), and the Act (Local) of the Session (1854) of the 17th and 18th Years of Her present Majesty, Chapter 13 (the short Title of which Act is the "Kingston-upon-Hull Dock Amendment Act, 1854"), were afterwards passed with respect to the Company; that the "Hull Dues Act, 1852," and the "Humber Conservancy Act, 1852," and the "Kingston-upon-Hull Improvement Act, 1854," respectively affect the Company; that the Trade and Commerce of the Port, and the Resort of Shipping thereto, have been and are increasing; that the making and maintaining of the new (the Sixth) Dock and Works by this Act authorized would be of great public Advantage, and afford the requisite additional Accommodation, and the Company are willing to make and maintain the same; also that it is expedient that Provision be made for an Alteration of the Lines of the Hull and Selby Railway, leading to the Goods Station of the North-eastern Railway, which is built on Land of the Hull and Selby Railway Company, now in Lease to the North-eastern Railway Company, and it is also expedient that the Dock should be connected with that Railway by means of a Line of Railway, commencing at or near the Western Boundary of the Borough, and terminating at or near the intended Dock; that Plans and Sections have been duly deposited showing the Situation, Lines, and Levels of such new Dock (the Sixth), and the Enlargement of the Humber Dock Basin, and the Alteration of the Hull and Selby Line of the North-eastern Railway, now in Lease to the North-eastern Railway Company, and the Railway to connect that Line with the Dock and other Works in connexion therewith on Lands and Part of the Foreshore respectively lying to the Westward of the Humber Dock Basin; that the Tonnage Rates on Shipping which the Company are authorized to receive are charged on the Burthen of the Vessel according to Admeasurements prescribed in the Act of 1774, and by means thereof a Revenue is received by the Company considerably exceeding the Revenue which would arise if the Rate were made on the registered Tonnage, but that it is

expedient that the Tonnage Rates received in the Western Dock, and in all the existing Docks of the Company, should be uniform; that the yearly Sum of 6,333*l.* 17*s.* 4*d.* is paid to the Company by the Lords Commissioners of Her Majesty's Treasury by way of Compensation to the Company for Differential Dues on Foreign Shipping, to which the Company, under the recited Acts, or some of them, are entitled, but which, by reason of Reciprocity Treaties with Foreign Countries, are not now levied by the Company, and it is expedient that Provision be made for the Cesser of that Compensation; that it is expedient that the Dock Commissioners be discontinued, and the Authority of the Dock and Harbour Master and his Assistants, appointed by the Hull Trinity House, so far as regards the Docks and Works of the Company, should cease, and that Provision be made for the Transfer of the Docks, Works, and Property of the Company to a Body of Trustees, or a Board of Commissioners, to be, on the Application of the Hull Corporation, established by Parliament for the Purpose; that it is also expedient that the Management and Regulation of the Docks and Works, and Business of the Company, be vested, until such Transfer, in the Company, and that further Provision be made for the Regulation, Management, and User of the Docks, Warehouses, and Works of the Company, and of the Shipping resorting thereto; further, that by the Act of 1774, the Company were authorized to raise a Capital of 80,000*l.* by Shares of their Undertaking of 500*l.* each, and to borrow not exceeding 20,000*l.*; that by the Act of 1802 they were authorized to raise additional Capital by the Creation and Sale of 30 new Shares of their Undertaking, and to borrow further Money; that by the Act of 1805 they were authorized to raise additional Capital by the Creation and Sale of 30 more new Shares of their Undertaking; that by the Act of 1844 they were authorized to raise by Mortgage, or by the Creation and Issue of new Shares of their Undertaking, any Sums not exceeding in the whole, with the Sums theretofore authorized to be borrowed, 400,000*l.*; that by the Act of 1849 they were authorized to borrow any further Sums not exceeding in the whole 150,000*l.*, and by the Act of 1854 they were authorized to borrow any further Sums not exceeding in the whole 150,000*l.*, and were authorized to convert their Debenture Debt into Stock or into perpetual Annuities, and to create a preferential Stock, to be called "Kingston-upon-Hull Docks Debenture Stock," for the Purpose of redeeming their Debenture Debt; that the Company had, on the 1st Day of December 1860, raised by Debenture Stock and on Mortgage or Bond, under the Powers of the Act of 1844 and the subsequent Acts conferring such Powers, the followings Sums; (that is to say,)

6,740*l.* by Debenture Stock,

634,110*l.*, or thereabouts, on Mortgage, Bond, or Loan, and they had Power to borrow on Mortgage or Bond the further Sum of 59,150*l.*, or thereabouts; that the Company

have not created or issued more than 120 of the Shares of their Undertaking, which by the Act of 1774 they were authorized to create and issue, and with the 30 Shares of their Undertaking which under the Act of 1802 were created and sold, and the 30 Shares of their Undertaking which under the Act of 1805 were created and sold, there are now 180 Shares of the Undertaking of the Company; that the Company have expended in and about the making of the Docks, Warehouses, and other Works, large Sums of Money, and it is expedient that the present nominal Value of the Shares in the Company should be declared as hereinafter provided; and that the Company be authorized to raise Money for the Purposes of the new Works by this Act authorized.

Incorporation of Lands Clauses, and of certain Parts of Companies Clauses, Railways Clauses, and Harbours, Docks, and Piers Clauses Acts, §§ 2 to 5.

Provisions of recited Acts (except as altered) to be enforced in new Dock as well as old, § 6.

Repeal of Parts of Company's Acts as specified in Schedule, § 9.

Certain Sections in Act of 1844 to apply to Haven Master only, § 10.

Company to represent Dock Commissioners, §§ 11, 12.

General Saving of Rights under recited Acts, § 13.

Provisions of other Acts to continue in favour of Company, § 14.

Conveyances to remain, § 15.

Actions not to abate, &c., § 16.

Debts due by and to Dock Commissioners to be paid to and by Company, § 17.

Books, &c. continued Evidence, § 18.

Byelaws of Dock Commissioners continued for Six Months, § 19.

Penalties, § 20.

Provision for present Dock Master and Assistant Dock Master, § 21.

Settlement of Dispute as to retiring Allowances, § 22.

Property of Dock Commissioners vested in Company, § 23.

Dock Commissioners to deliver their Books, &c. to Company, § 24.

Deposit and Production of those Books, &c., § 25.

Compensation to Clerk of Dock Commissioners, § 26.

Company to maintain and manage their Docks and Works, § 27.

Power for Company to take and use Lands for Works authorized by Act, § 28.

Five Years for the compulsory Purchase of Lands, § 29.

Lands for extraordinary Purposes, § 30.

Power to make new Works, §§ 31, 32.

Lateral and vertical Deviations, § 33.

Company to provide Footway on River Side of new Dock and Works, § 34.

Company to provide Steps at River Side, § 35.

Steps to be free for Passengers, § 36.
Company to provide Fish Landing-place in Basin, § 37.
Patent Slip to be provided, § 38.
Company to provide new Shipping-place for Messrs. Earle, § 39.
Substitution of Yard in lieu of present Yard at Limekiln Creek, § 40.
As to Limekiln Creek and the substituted Works, § 41.
Present Charges only payable by Manchester, Sheffield, and Lincolnshire Railway Company, § 42.
Arrangements as to Diversion of Hull and Selby Railway, § 43.
Provision for North-eastern Railway Company's Accommodation at the Railway Creek, § 44.
As to Deficiency in Appropriation of Land at Railway Creek to North-eastern Company, § 45.
To what Lands each Company shall be entitled to the Appropriation, § 46.
Company to convey certain Lands to Railway Companies, § 47.
North-eastern Railway Company and Hull and Selby Railway Company to have perpetual User of Railway Creek on certain Payments, § 48.
Appropriation of Railway Creek to Railway Companies, § 49.
As to scouring the Railway Creek, § 50.
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Certain Lands to be transferred to Company, § 52.
As to Junctions with Hull and Selby Railway, § 53.
Rights of crossing reserved, § 54.
Disputes with North-eastern Railway Company as to Diversion of their Line to be settled by Board of Trade, § 55.
Arrangements with Manchester, Sheffield, and Lincolnshire Railway Company as to Limekiln Creek, § 56.
Five Years for Completion of Works, § 57.
If new Dock not completed within limited Period, Payment of Dividend on ordinary Capital to be suspended, § 58.
Expiration of Period for Completion of Dock not to prevent Erection of Buildings, &c., § 59.
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Plans to be approved by Humber Conservancy Commissioners, § 76.
Additional Contribution by Company to Humber Conservancy Commissioners, § 77.
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Limits of Dock Master's Authority, § 82.
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Company may give Certificates of deposited Goods and Warrants for Delivery of Goods, § 99.
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Warrant not to be given till Certificate given up, § 102.
Effect of Warrant, § 103.
Power for Company to make Byelaws as to Docks, Quays, &c., §§ 104, 105.
Power for Constables to go on board Vessels, § 106.
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Cesser of Compensation for Loss of Differential Dues, § 108.
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Power to remit Rates, § 114.
Power to charge for Services in shipping, unshipping, &c. Goods at Dock, § 115.
As to Transfer to Public Trust, § 116.
Members of the Company, § 117.
Capital, § 118.
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Power to dispose of Shares, § 123.
Power to raise additional Capital by Shares for new Works, § 124.
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Votes and Qualifications in respect of ordinary Shares, § 127.
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Power to reborrow in respect of the present Debt, § 133.
Application of Monies generally, § 134.
Priority of Interest on present Debenture Stock, § 135.
Rate of Dividend on Debenture Stock, § 136.
Rate of Annuities, § 137.
Privileges of present Debenture Stock, § 138.
Saving Rights of Holders of existing Debenture Debt, § 139.
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Saving existing Priorities and Privileges, § 142.
Power for Company to borrow in respect of new Works, § 143.
Limit of Powers of raising Money, § 144.
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Scale of voting at General Meetings, and Mode and Conditions of voting, §§ 149 to 153.
Qualification of Directors, §§ 154, 155.
Saving Rights of the Crown, § 156.
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Saving for Hull Corporation and Hull Trinity House, § 158.
Saving for Hull and Selby Railway Company and North-eastern Railway Company, § 159.
Saving for British Gaslight Company (Limited), § 160.
Docks subject to General Acts relating to Docks, § 161.
Schedule (Sections of Acts repealed).

Cap. lxxx.

"The Sowerby Bridge Gas Act, 1861."

Proposes to incorporate the Sowerby Bridge Gas Company; to enable the Company to raise further Capital; to better supply Sowerby Bridge and the Neighbourhood with Gas; and to authorize the Sale of the Undertaking of that Company, and also of the Rights and Powers of the Sowerby Bridge Gas Consumers Company (Limited), to the Local Board.
Incorporation of General Acts, §§ 1 to 3.

Limits of Act, § 5.
Incorporation of Company, and Saving of Rights and Liabilities, §§ 6 to 18.

Paid-up Capital and Part of Profits expended in Works to be consolidated into Stock.

19. And whereas the paid-up Capital of the Company consists of a Sum of 10,670*l.*, divided into 1,067 Shares of 10*l.* each, and of the Sum of 795*l.*, divided into 397 Shares of 2*l.* each, and the Company have expended out of Profits which might have been divided amongst the Shareholders as Dividend, a Sum of 5,732*l.* and upwards; it is expedient that the said Sums of 10,670*l.*, 794*l.*, and the Sum of 2,866*l.*, being One Half of the said Sum of 5,732*l.*, making together the Sum of 14,330*l.*, should be consolidated into Stock: Therefore the said several Sums of 10,670*l.*, 794*l.*, and 2,866*l.* shall be converted into the Sum of 14,330*l.* Consolidated Stock, and shall be called "the original Stock of the Company," and the several Holders of such Stock shall be entitled to participate in the Dividends and Profits of the Company, according to the Amount of their respective Interests in such Stock.

Capital of the Company.

20. After the passing of this Act, and until the Capital of the Company shall be augmented under the Powers of this Act, the Capital of the Company shall be the said Sum of 14,330*l.*, to be hereafter called the original Stock of the Company.

Distribution of original Stock, § 21.
Original Stock to be subject to same Trusts as old Shares, § 22.

Power to raise additional Capital.

23. It shall be lawful for the Company from Time to Time by Order of any Meeting thereof convened with Notice of the Matter to be discussed, to raise, by the Creation and Issue of new Shares, in addition to the said original Stock of 14,330*l.*, any Sum or Sums of Money not exceeding in the whole the further Sum of 15,670*l.*, and any additional Shares so created may be of such nominal Amount, and may be issued in such Manner and Proportions amongst the Stockholders for the Time being of the Company, and under and subject to such Calls, and to such other Terms and Conditions in all respects as the Meeting creating such Shares may determine.

A Portion of the new Shares may be allotted to Gas Consumers not being Shareholders, § 24.
Sales by Auction to be advertised, &c., § 25.
Power to attach Preference to new Shares, §§ 26 to 30.
Power to borrow 3,500*l.*, and eventually 3,900*l.* more, §§ 31 to 33.
Meetings; Votes; Directors, §§ 34 to 41.
Power to purchase or lease additional Lands, § 43.
Company not to hold more than Five Acres in addition to the Land now held by them, § 44.
Power to construct Gasworks and to supply Gas, § 45.
Not to erect Gasworks on certain Lands of Company, § 46.
Power for Company to lay Pipes for lighting Buildings, § 47.
Power to enter into Contracts with Surveyors of Highways and Local Authorities, § 48.
Meters; Penalties, §§ 49 to 55.

Power to sell Undertaking to Local Board of Sowerby Bridge, § 56.
Debts due at the Time of Purchase and Conveyance to belong to Company notwithstanding this Act, § 57.
Application of Purchase Money for Gas Undertaking, § 58.
Persons whose Names appear in the Books as Shareholders to be deemed such until the contrary be proved, § 59.
Receipt of Executors, &c. of Shareholders to discharge Company, § 60.
Provision in case of Absence of Shareholders, § 61.
Company to be dissolved, § 62.
Upon Payment of Consideration and Execution of Conveyance the Gasworks to vest in the Local Board, § 63.
Local Board to be liable for the Acts of the Gas Company in respect of the Works vested under this Act, § 64.
Actions, &c. not to abate, and Penalties to be recoverable, § 65.
Upon the Gasworks vesting in Local Board "The Gasworks Clauses Act" to be incorporated, § 66.
Power for Local Board, after the Purchase of the Gasworks, to light the District within the Limits of this Act, § 67.
Streets under Control of the Local Board may be taken up without Notice, § 68.
Limiting Charge for Supply of Gas, § 69.
Quality of Gas, §§ 70 to 74.
Agreement in Second Schedule between Consumers Company and Local Board confirmed, § 75.
Consumers Company to wind up their Affairs, § 76.
Payments into Court by Company, § 77.
Dissolution of Consumers Company, § 78.
Power for Local Board to raise Money for Purchase of Undertaking, § 79.
Incorporating certain Provisions of the Commissioners Clauses Act, § 80.
Sum to be set apart as a Sinking Fund, § 81.
Receiver of Mortgages, § 82.
Gasworks Purchase Rates for Expenses of carrying Powers of Act into execution by Local Board, § 83.
Gasworks Purchase Rates may be collected with General District Rates, § 84.
Amount of Rates to include Expense of recovering it, § 85.
Income of Local Board under Act, § 86.
Expenditure by Local Board under Act, § 87.
Accounts of Local Board, § 88.
Schedules—(Agreements for Sale).

Cap. lxxxi.

"The Victoria Station and Pimlico Railway Act, 1861."

Recites that by their Act of 1858 the Victoria Station and Pimlico Railway Company were incorporated, and authorized to construct a Railway with a Bridge across the River Thames, and a Station at Pimlico, and to raise for that Purpose, by Shares 675,000*l.*, and by borrowing 225,000*l.*;

and the London, Brighton, and South Coast Railway Company were authorized to subscribe 450,000*l.*, Part of the Share Capital of 675,000*l.*; and Provision is made for extinguishing in certain Events the Shares subscribed for by the Brighton Company, and for paying off a Portion of the Mortgage Debt of the Company in excess of the Sum of 75,000*l.*, on such Extinguishment, either out of the Subscription of the Brighton Company or by the Conversion of Loan into Capital; and by the said Act Two Agreements between the Company and the Brighton Company, and between the Company and the East Kent Railway Company, now called "The London, Chatham, and Dover Railway Company," were set forth in the Schedule to that Act, and were confirmed; that by their Act of 1859 the Company were authorized to raise a further Sum of 75,000*l.* by Shares, and the Sum of 25,000*l.* by borrowing; that their Railway hath been opened for public Traffic, and in accordance with the Agreement with the Brighton Company, a Portion of the Land applicable to Station Purposes has been appropriated to the exclusive Use of the Brighton Company, but the Shares of the Brighton Company have not yet been extinguished; that the Company have entered into an Arrangement with the Great Western Railway Company, and have laid down Rails on the Mixed Gauge for the Accommodation of the Traffic of that Company; that by "The London, Chatham, and Dover Railway (Metropolitan Extensions) Act, 1860," further Arrangements between the Company and the Chatham Company, either alone or in conjunction with any other Company, were authorized; and they have entered into an Agreement with the Chatham Company and the Great Western Railway Company for the User by those Companies of the Railway of the Company, and of that Portion of the Station which has not been appropriated to the Brighton Company, which Agreement is set forth in the Schedule to this Act; and have engaged to construct the Works and provide the Station Accommodation set forth in the said Agreement; that certain Lands which the Company have purchased and hold for the Purposes of their Undertaking will be required by the Chatham Company and the Great Western Company, as Occupiers of that Portion of the Station before mentioned, and it is expedient that the Company should be authorized to sell or grant a Lease of those Lands to those respective Companies; that the Sums of Money which the Company are now authorized to raise are the following; (that is to say,)

By Shares under the Act of 1858, the Sum of 675,000*l.*, subject to its Reduction to 225,000*l.* when the Shares of the Brighton Company are extinguished, and by the Act of 1859 the Sum of 75,000*l.*;

By borrowing by the Act of 1858 the Sum of 225,000*l.*, subject to the Repayment or Conversion into Capital of 150,000*l.*, Part thereof, and by the Act of 1859 25,000*l.*;

that they have received the whole of the Sum of 675,000*l.* authorized to be raised by Shares, with the Exception of some small Sums which have not yet been paid, but have not raised any Part of the Sum of 75,000*l.* authorized to be raised by Shares by the Act of 1859; and have borrowed about 205,000*l.*, Part of the Sum of 225,000*l.*, but have not raised any Money by borrowing under the Act of 1859; that in addition to the Sums which they have so already raised they will require the further Sums which they are authorized to raise by the Act of 1858 and the Act of 1859; and it is expedient that such Powers should be granted to the Company for raising such Sums of Money, and such Provision be made for regulating the Capital and Borrowing Powers of the Company as are herein-after expressed; and that the Arrangements between the Company and the Great Western Railway Company and Chatham Company should be confirmed.

As to raising the Sums authorized by recited Acts.

2. The Company may raise, in manner herein-after mentioned, by the Creation of additional Shares, all or any Part of the following Sums of Money authorized to be raised by the Act of 1858 and the Act of 1859; that is to say, the Sum of 225,000*l.* authorized by the Act of 1858 to be raised by Mortgage or Bond, or by the Conversion of borrowed Money into Capital, the Sum of 75,000*l.* authorized to be raised by the Act of 1859, by additional Shares, and the Sum of 25,000*l.* by the same Act authorized to be raised by borrowing or by the Conversion of borrowed Money into Capital, making together the Sum of 325,000*l.*

Limit of Share and Loan Capital.

When Money raised under this Act, Powers under recited Acts extinguished.

3. The ultimate total Amount to be raised by the Company by Shares, Stock, or borrowing under the Provisions of the recited Acts and this Act shall not exceed in the whole 550,000*l.*, exclusive of the Shares of the Brighton Company, but inclusive of all the other Monies already raised by Shares or borrowing under the Provisions of the recited Acts, or either of them, and to the Extent of the Money raised under the Provisions of this Act, the Powers of the Company of raising Money by Shares or borrowing under the Provisions of the Act of 1858 and the Act of 1859 shall be extinguished.

Company may raise all or Part of the Money by ordinary Shares.

4. The Company may raise all or any Part of the said Sum of 325,000*l.* by the Creation of additional Shares in the general Capital of the Company, and such Shares shall (except as by this Act otherwise provided) confer the same Rights, Privileges, Qualifications, Liabilities, and Incidents as are attached to or conferred by the Shares forming the Capital of 225,000*l.*, which, after the Extinguishment of the Shares of the Brighton Company, will form the ordinary Share Capital of the Company.

Company may raise all or Part of the Money by Preference Shares.

5. It shall be lawful for the Company from Time to Time to resolve and declare that (instead of creating and issuing the said Sum of 325,000*l.*, or some Part thereof, as ordinary Capital participating in the general Dividends of the Company) the Holders of any Shares to be created and issued for the Purpose of raising the said Sum of 325,000*l.*, or any Part thereof,

thereof, shall be entitled, either perpetually or for such limited Time as may be resolved upon and declared, to a preferential Dividend, to be paid out of the general Revenues of the Company in priority of the general Dividends made by the Company, at such Rate and with such other Privileges, and subject to such Powers of Redemption, Diminution, or Conversion (if any), as may be expressed in the Resolution creating such Shares, and thereupon the Holders of such Shares shall become entitled to such preferential Dividend, and to any other Privileges so resolved upon and declared as aforesaid accordingly, and such preferential Dividend shall be payable half-yearly, at the same Time as the ordinary Dividends of the Company, and it shall be lawful for the Company with such Consent as aforesaid from Time to Time and at all Times, until the whole of the said Sum of 325,000*l.* shall have been subscribed for, to alter the Rate of such preferential Dividend, or any of such other Privileges or Powers with regard to such Portion of the same Share Capital as shall not then have been subscribed for, but so as not to violate or infringe any Condition upon which any of such Share Capital shall have been previously subscribed for, unless with the Consent of all the Subscribers for the same, or to create and issue the Portion not so subscribed for, as ordinary Shares or Stock participating in the general Dividends of the Company; and for the Purpose of redeeming any Shares created with a Power of Redemption by the Company, the Company may create and issue from Time to Time fresh Shares, with or without any preferential Dividend or special Privileges or Advantages: Provided, that any fixed or preferential Dividend to be granted by the Authority of this Act shall not exceed the Rate of *5l.* per Centum per Annum on the Amount for the Time being paid up on the Shares.

Disposal of Shares, §§ 6 to 17.

Power to borrow on Mortgage.

18. The Company may continue on Mortgage any Part (not exceeding 137,500*l.*) of the said Sum of 325,000*l.*

But not to affect existing Mortgages, § 19.

Company may raise the Money raised on Mortgage, &c. by the Issue of Debenture Stock.

20. It shall be lawful for the Company from Time to Time, with the Consent of Three Fifths at least of the Votes of the Shareholders present, personally or by Proxy, at any Meeting of the Company convened with Notice of such Object, to raise all or any Part of the Monies which they shall for the Time being have raised or be authorized to raise on Mortgage or Bond, by the Creation and Issue, at such Times, in such Amounts and Manner, on such Terms, subject to such Conditions, and with such Rights and Privileges as the Company shall with such Consent resolve and determine, of Stock to be called Debenture Stock, instead of and to the same Amount as, or if so agreed in exchange for, the whole or any Part of the Money which now is or at any Time hereafter may be owing by the Company, or which they may have Power to raise on Mortgage or Bond, and to attach to the Stock so created a fixed and perpetual preferential Interest, payable half-yearly on the 1st Day of January and the 1st Day of July in each

Year, or at such other Periods as shall be determined at such Meeting, and to commence at once or at any future Time or Times when and as any such Debenture Stock shall be issued, or otherwise, as such Meeting shall resolve: Provided, that any preferential Interest or Dividend to be attached to any such Debenture Stock shall be at a Rate not exceeding 4*l.* 10*s.* per Centum per Annum.

Provisions as to Debenture Stock, §§ 21 to 28.

Working Arrangements with Great Western Railway Company.

29. The Sections of the Act of 1858 numbered respectively 76, 79, 80, 81, 82, 83, and 84 shall extend and apply to the Company and the Great Western Railway Company, in as full and ample a Manner as if the Great Western Railway Company had been originally named or referred to in those Sections as One of the contracting Companies.

Confirming Agreement in Schedule.

30. And whereas Arrangements have been entered into by the Company with the Great Western Railway Company and the Chatham Company, with reference to the Execution of the Purposes of the Act of 1858 and the Act of 1859, and the Agreement in Writing entered into for effecting such Arrangements is set forth in the Schedule to this Act, and it is expedient that it be confirmed: Therefore, the Agreement set forth in the Schedule to this Act shall be and is hereby authorized, and shall be binding on the Company and the Two contracting Companies, Parties respectively thereto; and the Agreement between the Company and the East Kent Railway Company, set forth in the Schedule to the Act of 1858, is hereby annulled and shall cease to have any Force or Effect, and the 78th Section of the Act of 1858, and so much of the 77th Section as relates to the East Kent Railway Company, are hereby repealed; and the Act of 1858 as amended by the Act of 1859 and this Act, and the Sections thereof made applicable to the Great Western Railway Company, shall be construed as if the Agreement between the Company and the Great Western Railway Company and Chatham Company, confirmed by this Act, had been originally set forth in the Schedule of the Act of 1858, and had been confirmed by that Act, instead of the annulled Agreement between the Company and the East Kent Railway Company.

Term of Lease, &c., § 31.

Power to sell or lease certain Lands to the Great Western and Chatham Companies, § 32.

Saving Agreement of 1858 with the Brighton Company, § 33.

Schedule.—(Heads of an Agreement between the Victoria Station and Pimlico Railway Company and the London, Chatham, and Dover Railway Company and the Great Western Railway Company.)

Cap. lxxxii.

"The Rhyl Bridge Act, 1861."

Incorporation of General Acts, § 2.

Company incorporated, with a Capital of 10,000*l.*, and Power to borrow 2,500*l.*, §§ 3 to 8.

Meetings; Directors, §§ 9 to 14.

Power to execute Works, § 15.
Works authorized by Act, § 16.
One Year for compulsory Purchase of Lands, § 17.
Two Years for Completion of Works, § 18.
Fences to Bridge, § 19.
Tolls; Collectors; Penalties, §§ 21 to 45.
Saving Rights of the Crown, § 46.
Any Land reclaimed by the Works not to be taken without the Consent of the Commissioners of Woods, &c., § 47.
Admiralty Provisions, §§ 48 to 53.
Saving the Rights of the Rhuddlan Marsh Embankment Trustees, § 54.
Crossing for Use of Rhuddlan Marsh Embankment Trustees, § 55.
Opening and Cutting for carrying away Land Waters, § 56.
For securing the Continuance of the Drainage to the East of the River, § 57.
Company not to interfere with Level of Embankment or Works of Trustees, § 58.
Saving Rights of Rhyl Improvement Commissioners, § 59.
Water affecting the Sewer, &c. of the Commissioners to be under Control of their Engineer, § 60.
Level of their Roads not to be affected without Consent, § 61.
Not to take Lands of which Henry John Ward is Lessee, § 62.
Power to Vale of Clwyd Railway Company to hold Shares not exceeding 2,000*l.* in Undertaking of the Company, § 63.

Cap. lxxxiii.

"The Workington Dock Act, 1861."

Recites that the present Accommodation for loading and unloading Shipping in the Harbour of Workington in the County of Cumberland is inadequate, and the making and maintaining of a Dock or Tidal Basin, at a Place called Workington North Side in the Township of Seaton in the Parish of Camerton in the County of Cumberland, and a Railway from such Dock, to join the Whitehaven Junction Railway, would increase the Trade and Commerce of the Town of Workington and its Neighbourhood, and by facilitating the Exportation of Mineral and other Produce, and providing a convenient Place for the loading and unloading of Vessels, would be not only highly beneficial to the Owners and Occupiers of Estates, Iron-works, and Mines in the Neighbourhood, but also of great Advantage to the Public in general; that the Right Honourable William Earl of Lonsdale is Tenant for Life in possession of the Lands above High-water Mark upon which the Dock, Railway, and Works are intended to be made, except such Portion (if any) of the said Lands as is vested by Act of Parliament in the Trustees for improving the Harbour of Workington, and also of extensive Estates and Mines in the County of Cumberland, and is willing at his own Expense to make and maintain such Dock, Railway, and Works in manner herein-

after mentioned; that the existing Harbour of Workington, and the Quays and other Works connected therewith, and divers Rights and Powers in relation thereto, are vested in the Trustees for improving the said Harbour, acting in execution of the Act 3 Vict. (Local), c. xliv., including Power to take Tolls or Dues in respect thereof; proposes to authorize the Earl of Lonsdale, his Heirs and Assigns, and the Whitehaven Junction Railway Company and the Cockermouth and Workington Railway Company to enter into Traffic and Working Arrangements; and that in consideration of the Expense which the said Earl will incur in making and maintaining the said Dock, Railway, and Works, it is reasonable that the said Earl, his Heirs or Assigns, or other the Owner or Owners for the Time being of the Lands in or upon which the same are to be made, should be enabled to levy Tolls, Rates, and Dues in respect thereof from Parties requiring to use the same, and who will hereby become entitled on Payment of such Tolls, Rates, and Dues to the Benefit and User of such Dock, Railway, and Works.

Incorporation of General Acts, § 2.
Certain Parts of "Harbours Clauses Act" excepted, § 3.
Limits of Dock, § 6.
Power to construct Dock, § 7.
Power to borrow 8,000*l.*, § 8.
Application of Monies, § 9.
Power to take Lands for Works authorized, § 10.
Lands belonging to Trustees of Workington Harbour not to be taken without their Consent, § 11.
Providing as to Maintenance and Use of North Side Quay, § 12.
Arbitration, § 13.
Three Years for compulsory Purchase of Lands, § 14.
Five Years for Completion of Works, §§ 15, 31.
Purchase of additional Lands, § 16.
Power to execute Works authorized by Act, § 17.
Description of Works authorized by this Act, § 18.
Working Drawings of Works within Harbour to be deposited at Office of Harbour Trustees, and such Works to be executed in accordance with this Act, § 19.
Regulating Interference with a certain Road, § 20.
Admiralty Provisions, §§ 21 to 26.
Junction with the Whitehaven Junction Railway, §§ 27, 28.
Reserving Jurisdiction of Workington Harbour Trustees, § 29.
Trustees of Workington Harbour to deepen and cleanse Channel within the Limits, § 30.
Railway Tolls, §§ 32 to 34.
Quay Tolls, § 35.
Rates for the Use of Wharves, Drops, &c., § 36.
Navigation not to be interrupted, § 37.
Ballast Provisions, §§ 38 to 44.
Dredging Engines, § 45.
Appointment of Dock Master and other Officers, § 46.
Power to Constables to go on board Vessels, § 47.
Ballast Rates, § 48.
Tonnage Rates on Vessels, § 49.

Vessels using the Dock as well as the Harbour to be entitled to an Abatement of Harbour Dues, § 50.
Rates payable in respect of Vessels entering the Dock without entering the Harbour of Workington, § 51.
Vessels loading in Dock to have same Privileges as those loading in Harbour, § 52.
Exemption of Officers of Customs from Dock Tolls, § 53.
Exemption of Vessels driven in by Stress of Weather, § 54.
Agreements with Workington Harbour Trustees with respect to Collection of Dues, § 55.
Saving Rights to Anchorage Dues, § 56.
Traffic Arrangements with Railway Companies, §§ 57 to 62.
This Act not to prevent Enlargement of Harbour, § 63.
Saving the Rights of the Crown, of the Admiralty, and of the Workington Harbour Trustees, §§ 64 to 66.

SCHEDULE to which the foregoing Act relates.

PART FIRST.

Upon every new Vessel launched into the said Dock the Sum of 7*d.* per Ton.

Upon every Vessel entering the said Dock Inwards from the Ports or Places herein-after mentioned or described; (that is to say,)

From any Port of Great Britain, Ireland, and the Isle of Man, for each Voyage the Sum of 7*d.* per Ton.

From any other Port of Europe, the Islands of Guernsey, Jersey, Alderney, Sark, the Faro Isles, and Iceland, for each Voyage the Sum of 1*s.* 1*d.* per Ton.

From any Port in Asia, Africa, or America to the Northward of Rio de la Plata inclusive, and to the Northward of the Cape of Good Hope, the Islands of Saint Helena, Ascension, Cape de Verd Islands, Canaries, Western Islands, Madeira, Azores, Newfoundland, Greenland, and Davis' Straits, for each Voyage the Sum of 1*s.* 7*d.* per Ton.

From any Port of South America to the Southward of Rio de la Plata, or in the Pacific Ocean, or in Africa and Asia to the Eastward of the Cape of Good Hope, or from any other Part of the World not herein-before specified, for each Voyage the Sum of 2*s.* 1*d.* per Ton.

PART SECOND.

Upon every Vessel which shall remain within the Dock for a longer Period than Six Months, the Rates following for the Period during which the Vessel remains beyond such Period of Six Months; (that is to say,)

For the First Week or any Part thereof, per Ton, 1*d.*

For the Second Week or any Part thereof, per Ton, 2*d.*

For every subsequent Week or Part of a Week, per Ton, 3*d.*

Cap. lxxxiv.

"The Edinburgh and Glasgow Railway Amendment Act, 1861."

Recites that the Edinburgh and Glasgow Railway Company were incorporated in 1852, and further Powers were conferred on the Company by 15 Vict. c. cix., 16 & 17 Vict. c. cli., 18 & 19 Vict. c. clviii. and cxc., 21 & 22 Vict. c. lxiv.; that the Sums authorized to be raised, and which had on the 31st July 1860 been raised and received by the Company in pursuance of the recited Acts are respectively specified in the Schedule; that the Company had at the same Date expended for the Purposes of the said Acts the Sum of 4,408,035*l.* 15*s.*, and a further Sum is required to meet their Engagements, and it is expedient that the Company should be authorized to raise additional Capital for the general Purposes of their Undertaking.

Incorporation of Provisions of Companies Clauses Act, § 2.

Power to raise additional Capital of 160,000*l.* for general Purposes, § 3.

Power to confer on new Shares Right to preferential Dividend, not exceeding 5*l.* per Cent., §§ 4 to 9.

SCHEDULE referred to in this Act.

PART I.

Share Capital under existing Acts.

Acts.	Capital authorised to be raised.	Capital raised and paid at 31st July 1860.	Capital not raised or not paid at 31st July 1860.
	£ s. d.	£ s. d.	£ s. d.
15 Vict. c. 109. - -	2,373,375 0 0	2,368,519 10 0	4,855 10 0
16 & 17 Vict. c. 151. - -	30,000 0 0		
18 & 19 Vict. c. 158. - -	115,000 0 0 50,000 0 0	275,000 0 0	
18 & 19 Vict. c. 190. - -	80,000 0 0		
21 & 22 Vict. c. 64. - -	480,000 0 0	450,000 0 0	30,000 0 0
	3,128,375 0 0	3,093,519 10 0	34,855 10 0

PART II.

Loan Capital under existing Acts.

Acts.	Authorized to be raised on Loan and to be converted into Funded Debt.	Due on Loans at 31st July 1860.	Converted into Funded Debt at 31st July 1860.	Not borrowed at 31st July 1860.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
15 Vict. c. 109. -	1,111,700 0 0	1,050,119 10 10	59,850 0 0	1,730 9 2
16 & 17 Vict. c. 151.	10,000 0 0	39,967 0 4	- - -	32 19 8
18 & 19 Vict. c. 158.	50,000 0 0			
21 & 22 Vict. c. 64. -	160,000 0 0	156,338 10 5	- - -	3,661 9 7
	1,311,700 0 0	1,246,425 1 7	59,850 0 0	5,424 18 5

Cap. lxxxv.

"The Scottish Widows Fund and Life Assurance Society's Incorporation Act, 1861."

Proposes to incorporate the Scottish Widows Fund and Life Assurance Society.
Repeal of the Company's former Act, 3 & 4 Vict. c. xli.,—§ 1.
Society incorporated, and Saving of Rights and Liabilities, §§ 3 to 7.
The Society may sue and be sued, and hold Property, &c., § 8.
Real Property to be sold within Five Years of the Acquisition thereof, § 9.
Dispositions and other Deeds, &c., how to be executed, § 10.
Memorial of Trustees, &c. to be registered, §§ 11, 12.
No more than One Action in respect of same Demand, § 13.
No Action against the Society to be affected in consequence of Plaintiff or Defendant being a Member, §§ 14, 15.
Discharge of Sums payable under Policies, § 16.
Regulating Form of Assignments and Discharges of Policies, § 17.
Policies subject to Trusts may be discharged by Trustees, § 18.
Society may be cited at the Head Office in Edinburgh, § 19.
Power to make Byelaws as heretofore, § 20.
Schedules (Forms).

Cap. lxxxvi.

"The Manchester, Sheffield, and Lincolnshire Railway (Additional Works) Act, 1861."

Proposes to enable the Manchester, Sheffield, and Lincolnshire Railway Company, incorporated by 12 & 13 Vict. c. lxxxi., to construct Railways from New Mills to Crist Quarry in the County of Derby, with a Branch therefrom, and from Grimsby Docks to Cleethorpes in the County of Lincoln, and also to enlarge and improve their Station at Ardwick, to acquire additional Lands and execute certain Works in the Parish of Manchester in the County of Lancaster; also to authorize the Company to work over and use the Railway of the Marple New Mills and Hayfield Junction Railway Company, and the Stations, Watering Places, Works, and Conveniences connected therewith, and to provide for the Transmission of Traffic over that Railway; and to enable them to raise additional Capital for the Purposes of this Act, and also for the general Purposes of their Undertaking; and that the Period for the Sale of superfluous Lands held by the Company should be extended, and that some of the Powers and Provisions of their existing Acts should be altered and enlarged.
Incorporation of Acts, §§ 2 to 4.
Power to take Lands and to make Railways authorized by this Act, § 5, 6.

Heads of Arrangement (in Schedule) between Company and Mr. Tomline confirmed, § 7.
Power to cross a certain Road on the Level, §§ 8 to 11.
Power to alter Engineering Works, § 14.
Company to maintain Communication between Land and Water, § 15.
If Works abandoned, Admiralty may remove same, § 16.
Admiralty may order a local Survey, § 17.
Mode of crossing Disley and Hayfield Railway, § 18.
Approval of Plans, &c. of Arches under Disley and Hayfield Railway, § 19.
As to Repair of Arches under Disley and Hayfield Railway, § 20.
Damage to Disley and Hayfield Railway to be made good, § 21.
Traffic on the Disley and Hayfield Railway not to be interfered with, § 22.
Company to acquire only Easements in Lands of the Disley and Hayfield Railway Company, § 23.
Provision as to Gorton Lane in Ardwick, § 24.
Gorton Lane to be widened, § 25.
Edmund Street in Ardwick and Openshaw to be maintained, § 26.
Pottery Lane in Ardwick and Openshaw, § 27.
Gas and Water Pipes of Corporation of Manchester not to be interfered with, § 28.
Certain Provisions of Railways Clauses Act to apply to Mains and Pipes of Corporation of Manchester, § 29.
Power to divert a certain Occupation Road, § 30.
Three Years for compulsory Purchase of Lands, § 32.
Five Years for Completion of Railways, §§ 33, 34.
Authorizing Sale of Lands belonging to the Duchy of Lancaster, and providing for Application of Purchase Money, § 35.
Concerning the Sale and working of Mines belonging to the Duchy of Lancaster, §§ 36, 37.
Power for Company to raise additional Capital of 218,500*l.* by Preference Shares, not exceeding 6*l.* per Cent., §§ 38 to 46.
Power to borrow 72,000*l.*, §§ 47, 48.
Company may apply Corporate Funds to Purposes of Act, § 49.
Power for Company to work over and use Marple New Mills and Hayfield Junction Railway, § 50.
Terms of such working over and User, § 51.
The Marple Company to afford Traffic Facilities to Company, § 52.
Terms for affording the Traffic Facilities, § 53.
Power to establish Provident Institutions for Servants of the Company, § 54.
Incorporation of Provisions of Savings Banks Act, 7 & 8 Vict. c. 83.,—§ 55.
Extending Period for Sale of superfluous Lands for 10 Years, § 56.
Saving Rights of the Crown, § 59.

Saving Rights of the Crown, and the Duchy of Lancaster, § 60.
SCHEDULES:
1. Agreement with Mr. Tomline.
2. Form of Conveyance.

Cap. lxxxvii.

"The Wycombe Railway (Extensions to Oxford and Aylesbury) Act, 1861."

Recites that by "The Wycombe Railway Act, 1846," the Company were incorporated "for making a Railway from the Great Western Railway at Maidenhead in Berkshire to the Town of High Wycombe in the County of Buckingham;" that by their Act of 1852, their Powers for the Purchase of Lands and making their Railway were revived and extended, and, subject to the Provisions of that Act, an Agreement for the Lease of the Wycombe Railway to the Great Western Railway Company, and any Lease made in pursuance of that Agreement, were made binding upon that Company and the Company; that the Wycombe Railway has been long since made and opened to the Public, and a Lease thereof has been, in pursuance of the before-mentioned Powers, granted to the Great Western Railway Company for an annual Rent amounting in the aggregate to 3,600*l.*; that the Company by the said firstly-recited Act had Power to raise 150,000*l.* by Shares, divided into 10,000 of 15*l.* each, and 50,000*l.* by borrowing; but by the secondly-recited Act Power is given to reduce the said Share Capital to 100,000*l.*, and the said Borrowing Powers to 33,600*l.*, and this Reduction has accordingly taken place, and the said Share Capital is now divided into 10,000 Shares of 10*l.* each; that the before-mentioned Rent of 3,600*l.* is, after certain Deductions, divided amongst and secured to the Holders of original Share Capital, amounting in the whole to 60,560*l.*; that by their Act of 1857 the Company were authorized to extend their Railway to Princes Risborough and to Thame, at an estimated Expense of 108,000*l.*, and to meet this Expenditure the Company were empowered to apply surplus Funds not required by them for the Purposes of the recited Acts, and which amounted to about 48,000*l.*, and to raise an additional Capital of 60,000*l.* by Shares, and of 20,000*l.* by borrowing, and the Company are making the said Extension, but to complete it it is necessary that they should have Power to raise a further Sum of 20,000*l.*; that none of the existing Shares of the Company have any Preference or Priority in the Payment of Interest or Dividends; that the Extension of the Wycombe Railway to Aylesbury and to Oxford would be attended with great local and public Advantage, and the Company are willing so to extend their Railway at an estimated Cost of 240,000*l.*; that the Great Western Railway Company have agreed to work the Extension to Thame, under an Agreement bearing Date the 11th Day of August 1859, which Agreement has received

the Sanction of the Shareholders of the Two Companies; and it is expedient that that Agreement should be confirmed, and that the said Great Western Railway Company should have Power to agree for the working also of the proposed Extensions to Aylesbury and Oxford, and also that they should be authorized to subscribe thereto.

Incorporation of General Acts, §§ 1, 2.
Power to construct Railways, §§ 3 to 5.
Level Crossings, §§ 6 to 9.
Communication with Great Western Railway, §§ 10, 11.
Company not to take Land of Aylesbury and Buckingham Railway Company without Consent, § 12.
Junction to be made in best Manner, § 13.
Joint Station at Aylesbury, § 14.
Agreements between Company and Aylesbury and Buckingham Railway Company as to Joint Station, § 15.
Two Years for Purchase of Lands, § 17.
Four Years for making Railways, §§ 18, 19.
Tolls, §§ 20 to 22.
Power to raise additional Capital of 260,000*l.* by new Shares, with or without a preferential Dividend not exceeding 5*l.* per Cent., §§ 23 to 28.
Power to borrow 86,000*l.*, § 29.
Power to Great Western Railway Company to subscribe 100,000*l.*, § 32.
And to vote at General Meetings, § 33.
Power to Great Western Railway Company to raise Money by the Creation of Shares, with or without a Preference not exceeding 5*l.* per Cent., § 34.
Confirmation of Agreement as to Thame Extension, § 35.
Power to enter into Traffic Arrangements with the Great Western Railway Company, §§ 36 to 43.
Power to reduce the Number of Directors, § 44.

Cap. lxxxviii.

"The Leeds and Ealand Road Act, 1861."

Repeals an Act passed in the 7th and 8th Years of the Reign of His Majesty King George the Fourth, intituled "An "Act for repairing the Road leading from Ealand to the "Town of Leeds in the West Riding of the County of "York," and extends the Trust for 16 Years, and thence to the End of the then next Session of Parliament.

Cap. lxxxix.

"The Banbridge Railway Extension Act, 1861."

Proposes the making of a Railway from the Banbridge, Lisburn, and Belfast Railway at or near the Town of Banbridge to Ballyroney, with a Branch Railway therefrom to Rathfriland; to authorize the Company incorporated by this

Act, and any or either of the following Companies, namely, the Ulster Railway Company, the Dublin and Belfast Junction Railway Company, the Banbridge, Lisburn, and Belfast Railway Company, and the Banbridge Junction Railway Company, to enter into Traffic Agreements as herein-after mentioned, to enable the Company and the Ulster Railway Company to enter into Agreements for working the Traffic on the Railway by this Act authorized with the Engines and Carriages of the Ulster Railway Company, and to permit the Ulster Railway Company to subscribe to the Undertaking of the Company; recites that the Shares of the Ulster Railway Company are at a Premium, and the Amount which that Company are authorized to raise by borrowing and by Debenture Stock is less than One Third of the Amount of the Capital of the Ulster Railway Company in Shares exclusively of so much of that Capital as consists of Shares authorized to be created for the Purpose of Subscriptions to the Undertakings of other Railway Companies, and it is expedient that the Ulster Railway Company should be authorized to raise Money by the Issue of Debenture Stock for the Purpose of subscribing to the Undertaking of the Company; that the Ulster Railway Company are not authorized to create and have not created any Preference Shares.

Incorporation of General Acts, § 2.

Subscribers incorporated, with a Capital of 90,000*l.* in Shares of 10*l.*, and Borrowing Powers to 30,000*l.*, §§ 3 to 7.

Meetings; Directors, &c., §§ 11 to 20.

Power to make Railway, §§ 21 to 23.

Level Crossings, §§ 24 to 26.

Lands to be purchased by Compulsion within Three Years, § 28.

Five Years for Completion of Railway, §§ 29, 61.

For Protection of certain Property, § 30.

As to Communication with the Banbridge, Lisburn, and Belfast and Banbridge Junction Railways, §§ 31 to 33.

Protecting Property of Bann Reservoir Company, § 34.

Tolls, §§ 35 to 44.

Power to enter into Traffic Agreements with the Four Companies, or any of them, and into Working Arrangements with the Ulster Railway Company, §§ 45 to 53.

Power for Ulster Railway Company to subscribe 10,000*l.* § 54.

Power for subscribing Company to raise and apply Monies for Contribution towards Funds of Company, § 55.

Sanction of Shareholders for Contribution, § 56.

Existing Debenture Stock of the Ulster Railway Company to have Priority, § 57.

Nominee of Ulster Railway Company to vote at Meetings of Company, § 58.

Instruments of Appointment and Removal of Directors, and of Appointment and Revocation of Nominees, § 59.

Cap. xc.

"The Llanidloes and Newtown Railway Act, 1861."

Recites Incorporation of the Company in 1853, with Power to make a Railway from Llanidloes to Newtown in the County of Montgomery, and that that Railway has been completed and opened for public Traffic; that by their Canal Extension Act, 1859, the Company were authorized to execute as Part of their Undertaking a Tramway and other Works to connect their Railway with the Shropshire Union Canal; that the Powers given by the Act of 1859 for the compulsory Purchase of Lands have expired, and it is expedient that such Powers should be revived, and that the Period limited by the same Act for the Completion of the Works thereby authorized should be extended, and that further Powers should be granted to the Company in respect of such Works; that by the first-recited Act the Company were authorized to create a Share Capital of 60,000*l.*, and to borrow on Mortgage or Bond 20,000*l.*, and those Sums have been raised and expended by the Company, and it is expedient that they should be authorized to raise additional Capital for the Completion of their Undertaking, and to create and issue for such Purpose new Shares, with a Preference Dividend or other Rights and Privileges attached thereto; that the Company have created no Preference Shares; proposes to enable the Shrewsbury and Welchpool, the Great Western, and the London and Northwestern Railway Companies and the Company to enter into Working and Traffic Arrangements.

Power for compulsory Purchase of Land revived and extended for Six Months from passing of Act, § 2.

Extending Period for Completion of Tramway for Two Years from passing of Act, §§ 4, 5.

Power to raise additional Capital of 25,000*l.*, with Preference Dividend not exceeding 5*l.* per Cent., §§ 6 to 9.

Power to cancel new Shares created but not issued, § 10.

Incorporating certain Provisions of Companies Clauses Act, § 14.

Priority of existing Mortgages, § 15.

Power for Company and the Four Companies to agree for Purposes authorized, §§ 18 to 26.

Cap. xci.

"The Tyne Improvement Act, 1861."

Recites that by "The River Tyne Improvement Act, 1850," a Body of Commissioners was constituted for exercising the Powers by that Act conferred on them for the Improvement of the Port of Newcastle-upon-Tyne and the River Tyne, and the Regulation of the Navigation thereof, and Provision was made for the Formation of a Fund for the Execution of that Act by the Commissioners, to be called the Tyne Improvement Fund; that by such Act the Sum of 67,349*l.*, Part of the then existing Debt, was charged upon the Tyne Improvement

Fund thereby vested in the said Commissioners, and by the same Act the said Commissioners were authorized to raise on the Credit of the said Tyne Improvement Fund the further Sum of 30,000*l.*; that in 1852 further Powers were conferred on the Commissioners for the Improvement of the Navigation of the Port and of the River, and for the Regulation of the Navigation thereof, and the Commissioners were authorized, amongst other Things, to make Docks, to be called the Northumberland Docks, at a Place called Hay Hole on the Northern Side of the River, and to levy Rates, Dues, and Duties for the Purposes thereof, and to borrow on Mortgage of such Rates and Dues any Sum or Sums of Money not exceeding in the whole the Sum of 200,000*l.*; that the said Docks have been for some Time past open for the Use of Vessels frequenting the Port of Newcastle-upon-Tyne; that they have borrowed a considerable Sum of Money on Mortgage of the Rates, Dues, and Monies by the Act of 1852 authorized to be levied in respect of the Northumberland Docks and the Works connected therewith, and that Sum with the Interest thereon is now charged on those Rates, Dues, and Monies; that for the Purpose of facilitating the borrowing of such Sum of Money several Coal Owners entered into Agreements with the Commissioners for the Shipment of their Coals in the Northumberland Docks; that in 1857 the Commissioners were incorporated, and authorized to make Docks at a Place on the Northern Side of the River, called Coble Dean, to be called the Coble Dean Docks, and to levy Rates, Dues, and Duties for the Purposes thereof; that in 1859 further Powers were conferred on the Commissioners of raising Money for the Purposes of the Northumberland Docks, and certain Sums of Money have been borrowed under the Powers thereof; that for the Convenience of the Trade of the River Tyne, it is expedient that the Commissioners be authorized to make a Dock at Tynemouth, at a Place called Low Lights, to be called the Tynemouth Docks, and to levy Rates, Dues, and Duties for the Purposes of the Construction of the said Tynemouth Dock, and to borrow Money on Mortgage of such Rates, Dues, and Duties, and on Mortgage of the Rates, Dues, and Duties levied at the Northumberland Docks; that it would much lessen the crowding of the River with Vessels, and would greatly improve the Navigation thereof, and would enable larger Vessels to navigate the said River, if the Banks or Shores were in certain Places altered or contracted, the Bed of the River deepened, and the Course diverted and straightened, and the projecting Points, Shoals, and Sand Banks removed, and it is expedient that the Commissioners be authorized to execute these several Works; that the Bridge of Newcastle-upon-Tyne hinders the Flow of the Waters of the River Tyne, and prejudicially affects the Scouring of the Bed of the said River by the Action of the Tide, and obstructs the Passage of masted Vessels, and it is expedient that the Commissioners be empowered to take down and rebuild the

said Bridge upon a new and improved Plan, and to construct it so as to admit of the passing of Ships with Masts into the upper Parts of the River; that there is a Sum of Money in the 3*l.* per Centum Consolidated Bank Annuities now standing in the Names of the Mayor, Aldermen, and Burgesses of the Borough of Newcastle, for the Purpose of protecting the said Mayor, Aldermen, and Burgesses and the See of Durham from the Cost of repairing a Portion of the said Bridge, and it is expedient to regulate the Expenditure of the Income arising from the said Sum in the Repair of the said Bridge; that it is expedient that the Commissioners be authorized to levy further Rates, Dues, and Duties, and to borrow further Monies; that certain ancient Rates or Dues now levied by the Commissioners should be extinguished and certain other Rates and Dues levied in their Stead; and that the Commissioners should have Powers vested in them to purchase any existing Ferries over the said River, and to regulate the Speed of Steamers navigating the said River.

Incorporation of Lands Clauses Act, and of Parts of Commissioners, Harbours, Docks, and Piers, and Railways Clauses Acts, §§ 2 to 8.

Commissioners to carry Act into execution, § 9.

Power to take Lands shown on deposited Plans for Works, § 10.

Commissioners may by Agreement purchase, &c. other Lands, § 11.

Power to deviate, § 12.

Works authorized by Act, § 13.

Powers of Construction to cease if Works not completed within 10 Years, § 14.

Tynemouth Dock to be commenced within Three Years, § 15.

Admiralty Provisions, §§ 16 to 19.

Provision for Protection of Jarrow Chemical Company, § 20.

Five Years for compulsory Purchase of Land, § 21.

Officers of Customs to have free Access to Docks without Payment of Tolls, § 22.

Rates on Vessels, § 23.

Legal Quays to be approved by the Treasury, &c., § 24.

Exemption of Vessels in Her Majesty's Service, &c. from Rates, § 25.

Dues on Goods, § 26.

Power to appropriate Shipping Places, § 27.

Salaries to be apportioned between Accounts, § 28.

Application of Dock Rates, § 29.

Appropriation of any Surplus, § 30.

Notice of lowering Rates to be given, § 31.

Reserve Fund for Repairs of Docks, § 32.

Existing Mortgages on the Northumberland Docks to have Priority, § 33.

Power to borrow Money upon the Dock Rates, § 34.

Commissioners not to include River Dues in Securities for Docks, § 35.

Power to pay Interest out of Capital, § 36.
Mortgagees may appoint Receivers, § 37.
Separate Accounts to be kept, § 38.
Coal Owners bound to ship to Northumberland Docks released from the Obligation to Extent of their Shipments in the Tynemouth Docks, § 39.
Jurisdiction of Commissioners extended to Extremity of Piers, § 40.
Corporation of Tynemouth to have Power to borrow 50,000*l.* on Mortgage of Borough Rates, § 41.
Sums borrowed to be advanced by Corporation to Commissioners upon Mortgage of Docks, § 42.
Corporation may agree that Rates shall be a collateral Security, § 43.
Proportion in which Deficiency shall be charged on the Tynemouth Rates, § 44.
Restriction on Exercise of Powers by Tynemouth Corporation, § 45.
Former Mortgages to have Priority, § 46.
Commissioners to pay Purchase Monies out of Tyne Improvement Fund, or to raise by way of Mortgage, § 47.
Powers of mortgaging, § 48.
Sinking Fund, § 49.
Priority of existing Charges, § 50.
Charges for conveying Ballast to be 1*s.* per Ton, § 51.
Limits within which Ballast may not be cast extended, § 52.
Groundage, Plankage, Ballast, Office, and Ships or Boat Dues to be extinguished, § 53.
A Tonnage Rate to be levied upon all Vessels using the Ports, § 54.
Tonnage Duty to be levied on Steam Vessels, § 55.
For ascertaining Tonnage Rates, § 56.
Reduction of Rates in Schedule D., § 57.
Duties upon Goods imported Coastwise or exported Coastwise or Foreign to be levied, § 58.
Reduction of Rates in Schedule E., § 59.
Coal, Cinders, and Grindstone Duties to remain and not to be increased, § 60.
Rates to be carried to Tyne Improvement Fund, § 61.
Power to erect and license Landing Places, § 62.
As to purchasing Ferries, § 63.
Power to regulate Rate of Speed of Steamers, §§ 64, 65.
As to Part of the River between Leamington and Blaydon and Stella, § 66.
As to certain Works near to King's Meadows, § 67.
Commissioners not to take down old Bridge till temporary Bridge ready for Use, § 68.
A Fund in Hands of Commissioners, Corporation of Newcastle, and Ecclesiastical Commissioners, to be applied to Erection and Maintenance of new Bridge, § 69.
Commissioners to make Openings and moving Platforms in new Bridge, §§ 70, 71.
Commission to maintain and repair Machinery of opening Platform of new Bridge, § 72.

Vessels not to be unnecessarily detained, § 73.
Acts of 1850, 1852, 1857, and 1859 not affected, § 74.
Saving Rights of the Commissioners, § 75.
Provision as to the Rights of the Crown, § 76.
Saving Rights of Her Majesty's Principal Secretary of State for the War Department; of Corporation of Trinity House of Newcastle-upon-Tyne; of Commissioners of Sewers; of Corporation of Newcastle-upon-Tyne; of the Duke of Northumberland; and of Lords of Manors and Owners of Land, §§ 77 to 82.
Schedules (Rates and Dues).

Cap. xcii.

"Bonelli's Electric Telegraph Act, 1861."

Recites that a Company has been incorporated, called "Bonelli's Electric Telegraph Company (Limited)," for working a certain patented Invention of the Chevalier Gaetano Bonelli, in Electric Conductors and Apparatus for transmitting Telegraphic Despatches, and that the Use of such Invention throughout the United Kingdom would tend greatly to the public Convenience, and proposes to enable the Company to carry their Undertaking into effect, and to acquire Licences for and work other Letters Patent, and generally to exercise the Powers and perform the Duties and Services of an Electric Telegraph Company.

Limits of Act, § 2.
Power to lay Tubes under Streets, §§ 3, 4.
Regulations respecting breaking up of Streets, §§ 5 to 11.
Company not to alter Position of Gas or Water Pipes, except Service Pipes, § 12.
Company to reinstate Service Pipes, make good all other Damage done by them, and pay Compensation, § 13.
Company not to lay Tubes, &c. in any City, &c., without Consent, § 14.
Pipes not to be laid in City of London without Consent, § 15.
For Protection of Sewers of Metropolitan and other Boards, § 16.
Company to alter or remove Works when so required for Sewerage, &c. Purposes by Metropolitan Board, or Vestry or District Board, § 17.
Regulating the Payment to be made for the Damage done to certain Turnpike Roads, § 18.
As to laying Wires in, over, &c., Lands, Buildings, Railways, Canals, &c., § 19.
Wires not to be so placed as to impede the Traffic passing from one Railway or Canal, &c., to another, § 20.
Providing for Access from future Docks to Canal or River, § 21.
Wire not to pass within Four Feet of the Front of any House, § 22.
Notice to be given before Wires, &c. laid over Houses, and Plan approved, § 23.

Wires to be removed when they may interfere with Improvement, &c. of Property, § 24.
Company to deposit Plans, &c. with Conservators of the Thames, § 25.
Company not to dredge in the Thames, § 26.
Company to remove Works injurious to Navigation of the Thames, § 27.
Saving Rights of the Conservators of the Thames, § 28.
Power to lay Tubes under Estuary, &c., § 29.
Power for Company and other Companies to enter into Agreements, § 30.
Telegraph to be used without Preference, § 31.
Penalty for injuring Company's Tubes, &c., § 32.
Power to apprehend unknown Offenders, § 33.
Indemnity to Trustees of Turnpike Roads, §§ 34, 35.
Satisfaction for accidental Damage, how to be recovered, § 36.
Provisions of 8 & 9 Vict. cc. 20. & 33. as to Recovery of Damages, &c., extended to this Act, § 37.
Company not to interfere with River Mersey or Estate of Mersey or Docks and Harbour Board without Consent, § 38.
Saving Rights of the Mersey and Irwell Navigation Company, § 39.
Removal of Apparatus upon Dissolution of the Company, § 40.

Cap. xciii.

"The Charing Cross Railway (City Terminus) Act, 1861."

Recites that by their Act of 1859 the Company were incorporated and authorized to make and maintain the Charing Cross Railway, commencing by a Junction, in the Parish of Saint Olave Southwark, with the North Kent and Greenwich Lines of the South-eastern Railway, crossing the River Thames by means of a Bridge, and terminating in Hungerford Street in the Parish of Saint Martin-in-the-Fields, with a Branch Railway therefrom terminating by a Junction with the London and South-western Railway; that "The Hungerford Market and Charing Cross Bridge Act, 1860," was afterwards passed, and relates to the Company; that they have proceeded to put the Act of 1859 into execution, and are making the Railway and Bridge thereby authorized, and have raised and expended for the Purposes thereof a large Sum of Money; that the making and maintaining of a Railway commencing by a Junction at or near to Red Cross Street in the Parish of Saint Saviour Southwark, with the authorized Line of the Charing Cross Railway, and passing thence across the River Thames and terminating near to Cannon Street in the City of London, with a Branch Railway therefrom in the Parish of Saint Saviour Southwark, to form an additional Junction with that authorized Line, would afford further Facilities for Communication by Railway between the Western and Eastern

Parts of the Metropolis, and between the City of London and divers Parts of England Southward of the River Thames, and would relieve some of the principal Thoroughfares of the Metropolis from Part of the Traffic by which they are at Times incommoded, and would be of great public Advantage; that by the Act of 1859 the Company were authorized to raise a Capital of 800,000*l.* by Shares, and the South-eastern Railway Company were authorized to subscribe for Shares of that Capital to the Extent of 300,000*l.*; that it is expedient that the Company be authorized to raise further Monies for the Purposes of this Act, and that the South-eastern Company be authorized to contribute towards the Funds of the Company for the Purposes of this Act; that by the Act of 1859 Traffic and Working Arrangements between the Company and the South-eastern Company were authorized with respect to the Railway and Branch by that Act authorized, and it is expedient that Traffic and Working Arrangements between them be authorized with respect to the Railway by this Act authorized.

Incorporation of General Acts, §§ 2 to 4.

Power to take and use Lands for Works authorized by Act, § 5.

Questions of disputed Compensation in City of London to be heard in Lord Mayor's Court of City of London, § 6.

Three Years for compulsory Purchase of Lands, § 7.

Saving Act of 56 Geo. 3. as to Saint Saviour's, § 9.

Local Rates to be made good, § 10.

Power to make Works authorized by Act, §§ 11 to 13.

Width and Headway of Viaduct over Streets, § 14.

Admiralty Provisions, and Saving of Rights of Conservators of River Thames, §§ 15 to 23.

Three thousand Pounds to be invested in Names of Trustees before making Bridge over Thames, § 24.

If Company obstruct public Stairs they shall provide others, § 25.

For Protection of Sewers in City of London, §§ 26 to 28.

For Protection of Sewers of Metropolitan and other Boards, §§ 29 to 31.

Bridges to be lighted by Day and Night, §§ 32.

Company to light Archways in Saint Saviour's District, § 33.

Colonnade for Borough Market, § 34.

Rails to be laid on longitudinal Sleepers between certain Points, § 35.

Steam Whistle not to be sounded between Green Dragon Point and York Street, § 36.

Not to stop or divert specified Streets in Saint Saviour's, § 37.

Company to enclose Arches in Parish of Saint Saviour, § 38.

Drainage Works in Saint Saviour to be subject to Vestry or District Board, and their Rights saved, § 39.

For Protection of Upper Thames Street, § 40.

For widening Upper Thames Street, § 41.

Power to stop up Streets, &c. between Upper Thames Street and Cannon Street, § 42.
For Protection of Allhallows Lane, § 43.
For widening Dowgate Hill, § 44.
Protection of Southwark and Vauxhall Water Company, §§ 45 to 48.
Five Years for Completion of Railway, § 49.
Railways under Act and Act of 1859 to form "Charing Cross Railway," § 51.
Tolls on Railway, §§ 52, 53.
Power for Company to raise 525,000*l.* by new Shares, with or without a Preference, not exceeding 5*l.* per Cent., §§ 55 to 66.
General Power to borrow 175,000*l.* more, §§ 67 to 70.
Company may apply Monies raised under recited Acts for Purposes of Act, § 71.
South-eastern Company may contribute 250,000*l.* by Shares, with or without a Preference, not exceeding 5*l.* per Cent., §§ 72 to 76.
Power for Company and South-eastern Company to make Working and Traffic and other Arrangements, §§ 77 to 82.
Saving Rights of the Crown, of Admiralty, of Conservators of River Thames, of City Corporation, of Metropolitan Board of Works, Vestries, and District Boards, of Company and South-eastern Company, §§ 83 to 88.

Cap. xciv.

"The Dewsbury and Batley Gas Act, 1861."

Recites that by "The Dewsbury and Batley Gas Act, 1851," the Company were authorized to construct Gasworks and supply Gas within the Parish of Dewsbury and Township of Batley in the Parish of Batley, and their then existing Capital was declared to be 10,000*l.*, and they were authorized to raise 20,000*l.* more by the Creation of Shares, and 7,000*l.* by Mortgage of their Undertaking, and to convert all or any Part of their Mortgage Debt into Capital; that they have raised and expended upon their Undertaking the whole of the said Sums of 20,000*l.* and 10,000*l.*, and have converted their Mortgage Debt amounting to 7,000*l.* into Capital, and their present Capital is 37,000*l.*, divided into 7,400 Shares of 5*l.* each; that Part of the Township of Thornhill adjoins the Parish of Dewsbury, and could conveniently be supplied with Gas by the Company; that further Capital is required for the Purposes of the Company's Undertaking.
Repeal of Act, § 1.
Extending Provisions of General Acts to this Act, § 2.
Establishment of Company and Saving of Rights and Liabilities, §§ 4 to 9.
Limits of the Act, § 10.
Capital to be 37,000*l.*, and with Power to raise 38,000*l.* more, §§ 11 to 17.

Power for Company to borrow 18,000*l.*, § 18.
Meetings; Directors, §§ 20 to 32.
Power to purchase Lands, § 33.
Company empowered to construct Gasworks, &c., § 34.
Testing of Gas; Price of Gas; Meters; Penalties, §§ 35 to 54.
Saving Rights of Local Boards, § 55.

Cap. xcv.

"The Burton-upon-Trent Water Act, 1861."

Proposes to incorporate the Burton-upon-Trent Waterworks Company, and to authorize them to supply with Water the Town of Burton-upon-Trent, and the Township of Barton-under-Needwood, and the Neighbourhoods thereof.
Incorporation of General Acts, § 2.
Limits of Act for Supply of Water, § 4.
Burton-upon-Trent Waterworks Company incorporated, with a Capital of 24,000*l.* in Shares of 10*l.*, and with Power to borrow 6,000*l.*, §§ 5 to 10.
Meetings; Directors, §§ 11 to 16.
Power for Corporation to take Lands, § 17.
Two Years for compulsory Purchase of Lands, § 18.
Power to take Waters, § 19.
Power for South Staffordshire Waterworks Company to sell Water, § 20.
Power for Company to make Works authorized by Act, § 21.
Works authorized by Act, § 22.
Vertical Deviation, § 23.
Five Years for Completion of Works, § 24.
Not to interfere with the Coventry Canal Navigation, §§ 25, 26.
Company not to interfere with Bridges over Midland Railway, § 27.
Traffic on the Midland Railway not to be interfered with, §§ 28 to 31.
Supply of Water, §§ 32 to 37.
Power for Company and Burton Commissioners, &c. to enter into Contract for Supply of Water, § 38.
Penalties; Distress, §§ 39 to 46.
Power for Company and South Staffordshire Waterworks Company to enter into Contracts, § 47.
Agreements for Lease or Sale to the South Staffordshire Waterworks Company or Burton Commissioners, § 48.
Lease or Sale to entitle Lessee or Purchaser to Premises leased or sold, § 49.
Powers of the Company to be exercised by Lessees or Purchasers, § 50.
Lessees or Purchasers to perform Duties of Company, § 51.
Company to wind up their Affairs, § 52.
Payments by Company into Court, § 53.
Dissolution of Company, § 54.
This Act to apply after Sale to Purchasers of Company's Undertaking, § 55.

All Works connected with the Lichfield and Burton Roads to be under the Superintendence of the Trustees and Surveyor, § 56.
Traffic not to be stopped during the Performance of the Works on the Roads, § 57.
Precautions required to be taken during the Performance of the Works on the Roads, § 58.
Saving Rights of South Staffordshire Waterworks Company and Burton Commissioners, § 59.

Cap. xcvi.

"The Dunblane, Doune, and Callander Railway (Amendment) Act, 1861."

Recites that in 1856 the Dunblane, Doune, and Callander Railway Company were incorporated for the Purpose of constructing a Railway from the Scottish Central Railway at Dunblane by Doune to Callander; that the Railway has been constructed and opened to the Public; that they were authorized to raise 60,000*l.* by Shares, and 20,000*l.* by borrowing; that they have issued 4,416 Shares, and have received 42,992*l.*, or thereby, and certain of the Shares so issued are liable to be forfeited, and the remaining Share Capital of the Company, being 1,584 Shares, representing a Capital of 15,840*l.*, has not been issued, and it is expedient that the Company should be authorized to reduce and cancel the original Share Capital to the Extent of 15,000*l.*, and to create additional Share Capital, and to confer on such additional Capital a Priority in Payment of Dividend, for the Purpose of paying off their Liabilities, and for the general Purposes of their Undertaking.
Company and Scottish Central Railway Company may agree for Use of Station at Dunblane, § 3.
Unissued Share Capital of 15,000*l.* cancelled, § 4.
Power to raise 25,000*l.* by Preference Shares at 5*l.* per Cent., §§ 5 to 12.
Borrowed Money may be converted into Debenture Stock at 5*l.* per Cent., §§ 13 to 19.

Cap. xcvii.

"The Whitworth Vale Gas Act, 1861."

Recites that the Whitworth Vale Gas Company (Limited), were registered and incorporated on the 25th Day of March 1859, under the Powers of "The Joint Stock Company's Act, 1856," and have provided Gasworks and manufactured and supplied Gas in the Township of Spotland and Parish of Rochdale in the County Palatine of Lancaster; that under the Powers of the Memorandum of Association of the Company, bearing Date the 16th Day of March 1859, they have raised a Capital of 6,000*l.* by 1,200 Shares of 5*l.* each, and which Capital is fully paid up; and under "The Joint Stock Companies Act, 1856," and of a Resolution of the

said Company, bearing Date the 2d Day of May 1860 (duly made and registered according to the Provisions of the said last-mentioned Act) they have created a further additional Capital of 6,000*l.*, by 1,200 additional Shares of 5*l.* each, upon which the Sum of 1*l.* 17*s.* 6*d.* per Share has been paid, making altogether a Capital of 8,250*l.* already actually raised and paid; that it is expedient that further Provision should be made for supplying Gas within and to the said Parish of Rochdale and the Neighbourhood thereof, including the several Hamlets or Divisions of Whitworth Lower End and certain Parts of Whitworth Higher End, Catley Lane, and Healey, in the Township of Spotland in the Parish of Rochdale in the County of Lancaster, and that the Company should be incorporated for such Purpose, and should be authorized to raise further Monies.

Incorporation of General Acts, §§ 2, 3.
Limits of Act, § 4.
Incorporation of the Company, and saving previous Rights and Liabilities, §§ 5 to 12.
Capital 36,000*l.*, in 5*l.* Shares, §§ 13 to 17.
Power to borrow 9,000*l.* in all, §§ 18, 19.
Limiting Dividends on new Capital to 7*l.* 10*s.* per Cent., § 20.
Meetings; Directors, §§ 21 to 27.
Power to maintain and erect Gasworks, and to supply Gas, &c., § 28.
Company may contract for lighting Streets, &c., § 29.
May lay down Pipes for lighting Buildings, § 30.
May require Consumers to use Meters, § 31.
Penalties, §§ 32 to 37.
Quality of Gas, §§ 39 to 42.
Saving Rights of "The Rochdale Improvement Act, 1853," and "The Rossendale Union Gas Company's Act, 1854," § 43.

Cap. xcviii.

"Blyth and Tyne Railway Amendment Act, 1861."

Recites that by "The Blyth and Tyne Railway Consolidation and Extensions Act, 1854," the Company were authorized to raise by means of Shares 260,000*l.*, and by Mortgage 60,000*l.*, and to construct various Branches and Extensions, and in 1857 to raise an additional Share Capital of 110,000*l.*, and to borrow 36,500*l.*, and to make a Railway called "The Warkworth Extension," and a Branch, called the "Blyth Harbour Branch;" that they have proceeded with the Execution of the said Acts, and the several Extension Railways and Branches thereby authorized to be made (except the Blyth Harbour Branch and a Portion of the Warkworth Extension) are completed; that the Portion of the Warkworth Extension which has not been completed was intended for the Accommodation of various Fields of Coal which have not yet been worked or opened out, or have been only partially worked or opened out, and the Coal from such Pits as have been sunk is conveyed by other Lines of Railway, and the

Works of the Blyth Harbour have not yet been made, and it is expedient that the Time for completing such Extension and Branch should be enlarged; that the Construction of Railways from the Blyth and Tyne Railway to various Portions of the Newcastle Coal Field, with a Branch communicating with the Town of Newcastle-upon-Tyne, would be of great Advantage, by facilitating the Conveyance of Coal to the River Tyne and the Docks on the Northern Shore of that River, and by opening an improved Communication for Traffic between Newcastle-upon-Tyne and various important and populous Districts in the County of Northumberland; that the Capital of the Company is divided into several Classes of Shares, as follows; (that is to say,)

2,000 Shares of the nominal Value of 25*l.* each, called "Preference Shares," which are entitled to a first preferential Dividend of 10*l.* per Centum per Annum upon their nominal Value of 25*l.*;

4,000 Shares of the nominal Value of 25*l.* each, denominated "ordinary Shares;"

6,000 Shares of the nominal Value of 18*l.* 6*s.* 8*d.* each, called "Extension Shares," and which Extension Shares are Part of the additional Capital authorized to be raised by the Act of 1854;

And 6,000 Shares of the nominal Value of 10*l.* each, called "A. Preference Shares," and 6,000 Shares of the nominal Value of 8*l.* each, called "B. Preference Shares," bearing a preferential Dividend of 5*l.* per Centum, but subject to the first Preference Shares; and Calls upon such Shares have been made to the full Amount thereof;

that the Company had, on the 1st Day of December 1860, borrowed upon Mortgage the Sum of 59,916*l.* 8*s.* 5*d.*; that some Portions of the Lands upon which the Railways and Works have been formed, or which are used in connexion with or for the Purposes of such Railway and Works, are held by the Company under certain Way-leave and other Agreements, subject to certain yearly or other Rents and annual Payments thereby reserved, and that it is expedient that the Company should be empowered to purchase the Rights, Estates, or Interests of any Persons or Corporations existing in any of the said Lands or Grounds, or to enter into other Arrangements with reference thereto, and that they should be enabled to raise further Monies.

Incorporation of General Acts, §§ 3, 4.

Extending Time for Completion of Railways authorized by 20 & 21 Vict. c. cxiv.

5. The Time limited by the Act of 1857 for the Construction of the Railways by that Act authorized shall, except as herein-after mentioned, be extended and enlarged for the Period of Three Years, to be computed from the Expiration of the Period mentioned in the Act of 1857, and on the Expiration of such Period all the Powers given by the Act of 1857, and this Act, for the Completion of the Railways by that Act authorized, shall cease to be exercised, except as to so much of the Railways as shall then be completed: Provided always, that the Time limited for the Construction of so much of the

Warkworth Extension as lies between the River Wansbeck and Hirst shall only be extended and enlarged for the Period of 18 Months from the passing of this Act.

Power to construct Works according to deposited Plans, §§ 6, 7.

Protection of North-eastern Railway Company, §§ 8 to 11.

Admiralty Provisions, §§ 12 to 14.

As to Works in Newcastle and Tynemouth, §§ 15, 16.

Protection of Property of Mr. Linskill, § 17.

Three Years for compulsory Purchases, § 18.

Five Years for Completion of Works, §§ 19, 20.

Power to the Company to purchase the Fee Simple of the Lands on which the Railway is constructed, § 22.

Rights reserved by Sect. 10. of 17 & 18 Vict. c. lxxix. not to be prejudiced.

23. This Act shall be without Prejudice to the 10th Section of the Act of 1854, and to the Rights and Powers reserved by that Section, and that Section shall extend and apply to the Railways and Works by this Act authorized to be made, and to the Lands by this Act authorized to be taken, and to all Agreements and Contracts relating thereto made before the passing of this Act, as fully and effectually as it would have done if those Railways and Works had been included in and authorized to be made by the Act of 1854, and as if those Lands had been authorized by that Act to be taken for the Purposes thereof, and those Agreements and Contracts had been entered into before the passing of that Act.

Tolls in respect of the Railways, § 24.

Company may raise additional Capital of 210,000*l.*, § 26.

New Shares to be considered as original Shares, but may be issued with a preferential Dividend not exceeding 5*l.* per Cent., §§ 27 to 33.

Power to borrow 70,000*l.*, §§ 34 to 37.

Saving Rights of Corporation of Newcastle-upon-Tyne, of Owners and Lessees of Cramlington Colliery, and of the Crown, §§ 41 to 43.

Cap. xcix.

"The Limerick and Foynes Railway Act, 1861."

Recites the several Acts relating to the Limerick and Foynes Railway Company; that the Capital which the Company are authorized to raise by Shares amounts to the Sum of 130,000*l.*, of which 31,975*l.* are authorized to be raised by Preference Shares, and the Remainder by ordinary Shares; that they have raised, by ordinary and Preference Shares, the whole of the said Sum of 130,000*l.*, and have borrowed 43,000*l.*; empowers the Company to raise a further Sum of 40,000*l.* by Shares, with or without a Preference not exceeding 5*l.* per Cent.

Cap. c.

"The Middleton and Tonge Improvement Act, 1861."

Preamble recites that it would be of great Advantage to the Inhabitants of the Township of Middleton in the Parish of

Middleton, and to the Inhabitants of the Township of Tonge in the Parish of Prestwich-cum-Oldham, both in the County of Lancaster, if the said Townships were sufficiently paved, drained, lighted, cleansed, and otherwise improved, and if a Body of Commissioners were established for those Purposes, and for the Management and Regulation of the said Townships; that by the Local and Personal Act, 9 Vict. c. viii., the Middleton Gas Company were incorporated with a Capital of 5,000*l.*, to be divided into 500 Shares of 10*l.* each, and with Power to borrow by Mortgage or by Bond 5,000*l.* for the Purpose of manufacturing Gas and for lighting with Gas the several Streets, Roads, Lanes, public Passages, Churches, Chapels, Places, and Buildings, and also the several Shops, Taverns, private Houses, Warehouses, and other Buildings within the Townships of Middleton and Tonge in the County of Lancaster; that by "The Middleton Gas Act, 1854," the last-recited Act was repealed, and the Company thereby incorporated was dissolved, and a new Company was incorporated by the Name of "The Middleton Gas Company," for the Purpose of making and supplying Gas within the Town of Middleton and the Townships of Middleton and Tonge in the County of Lancaster, and all the Property, Rights, Debts, Liabilities, and Engagements of the dissolved Company were vested in the Company thereby incorporated, with Power to raise by the Creation of Shares 20,000*l.*, in addition to the 10,000*l.* authorized by the former Act, making the total Share Capital of the Company 30,000*l.*, divided into 3,000 Shares of 10*l.* each, and that the Company have Power to borrow by Mortgage or Bond any Sum not being more than One Third Part of the paid-up Capital of the Company for the Time being; that the whole of the Shares created by the Company's original Act have been long since issued and fully paid up, and the whole also of the Shares authorized by the Company's Act of 1854 (which are herein-after referred to as new Shares), have been subscribed for and 8*l.* have been paid up in respect of each such Share (except 88 of such Shares); that the Commissioners to be appointed under this Act have agreed to purchase the Undertaking of the Company, and the Company have agreed to sell the same, upon the Terms herein-after mentioned; and that it is expedient that upon and from such Purchase the said Commissioners should be empowered to supply Gas to the said Townships, and also to the Township of Thornham in the Parish of Middleton, and the Townships of Alkrington, Great Heaton, and Little Heaton in the Parish of Prestwich-cum-Oldham, all in the County of Lancaster.

Incorporation of Lands Clauses, Commissioners Clauses, and Parts of Towns Improvement Clauses and of Gas Clauses Acts, § 1.

Limits of Act, § 6.

Limits of Gas Supply, § 8.

Act to be carried into execution by Commissioners, § 9.

Election, Number, and Qualification of Commissioners, §§ 10 to 13.
Qualification of Electors, § 14.
How Companies may vote, § 15.
Limiting Sums to be borrowed on Mortgage of the Improvement Rates, Sewers Rates, and Highway Rates, § 18.
A further Sum may be raised with the Consent of the Ratepayers, § 19.
Mortgagees may apply for a Receiver, § 20.
Sinking Fund, § 21.
Commissioners to pave, &c., § 22.
For Protection of Water Pipes, § 23.
Large Mains of Water Companies not to be moved without Consent, § 24.
Commissioners may pave and drain Streets at the Expense of Owners, § 25.
Power to enter into Arrangements with the Trustees of Turnpike Roads within the said Townships, § 26.
Notice to be served on Trustees of Turnpike Roads before breaking up same, § 27.
Breaking up and reinstating of Turnpike Roads, §§ 28 to 31.
Saving Rights of Trustees of Rochdale and Manchester Turnpike Roads, § 32.
Removal of Nuisances, § 33.
General Improvement Rate, § 34.
Land, &c. to be rated at One Fourth only of net Value, § 35.
Townships to be separately rated, § 36.
Power to increase Rate by Consent of Ratepayers, § 37.
As to voting at Special Meetings to raise additional Money or to increase Rates, §§ 38 to 40.
Application of Improvement Rates and of Monies borrowed on the Improvement Rates, §§ 41, 42.
Application of Highway Rates and of Money borrowed on Highway Rates, §§ 43, 44.
Limiting the Amount of the Highway Rates, § 45.
Highway Rates levied after the 1st of January to be paid over to the Commissioners, § 46.
Commissioners may require Houses to be provided with Water, § 47.
Water Rents to be paid by Owners or Occupiers, § 48.
Amount of Rate to include Expenses of recovering it, § 49.
Terms of Transfer of Undertaking, §§ 50, 51.
Townships to take upon themselves Company's Liabilities, and to be entitled to all Profits, &c., § 52.
Company to deduce a good Title, § 53.
Company to conduct Works till 1st October 1861, § 54.
Company to be entitled to all Monies till 1st October 1861, § 55.
Lighting Rates, &c. to be charged with Annuities, § 56.
Annuities to be computed from 1st October 1861, § 57.
Proofs of Partnership of Company, § 58.
Notice of Act, § 59.
Shareholder's Receipt, § 60.
Evidence and Effect of Transfer, § 61.

Rights and Liabilities under other Acts saved, §§ 62 to 66.
Powers as to Construction of Gasworks, &c., § 67.
Restriction on Erection of new Works, § 68.
Gas to be consumed by Meter on Request, § 69.
Provision of Service Pipes, § 70.
Commissioners may remove Pipes from unoccupied Premises on giving Notice to Owner, § 71.
Maximum Price of Gas, § 72.
Commissioners may contract for lighting, § 73.
Power to lay Pipes against Buildings, § 74.
Quality of Gas, §§ 75 to 79.
Annuities to represent Shares in Company, § 80.
Commissioners to issue Certificates for Annuities, §§ 81 to 86.
Register of Gas Annuitants, § 87.
Transfer of Annuities, §§ 90 to 96.
Annuities recoverable by Suit or by Receiver, §§ 97 to 99.
Commissioners may redeem Annuities, § 100.
Eventual Dissolution of Company, § 101.
Lighting Rate, § 102.
Separate Accounts to be kept, § 103.
Power for Commissioners to borrow on Security of Gas Rents, or on Mortgage of Gasworks, §§ 104, 105.
Lighting Rate and Estimate to include Sums payable thereout under this Act, § 106.
Gas Rents to be firstly and Lighting Rate secondly liable, § 107.
Power to reborrow, § 108.
When rateable Property assessed jointly with other Property not in the said Townships, the Commissioners may cause the Property in the District to be valued, § 109.
Application of Monies, § 111.
Penalties, &c., §§ 117, 118.
Application of Monies arising from Sale of superfluous Lands, § 119.
Lands in Township exempted from Jurisdiction of Commissioners of Sewers, § 120.
Watching and Lighting Act (3 & 4 Will. 4. c. 90.) to be superseded by this Act, § 121.
Saving Rights of Lords of Manor of Middleton, § 122.

Cap. ci.

"The Lancashire and Yorkshire (Salford to Victoria Station) Act, 1861."

Recites that the Lancashire and Yorkshire Railway Company are the Owners of the New Bailey Street Station in Salford, and also of the Eastern Portion of the Victoria Station in Manchester, the other or Western Portion of the last-named Station being the Property of the London and North-western Railway Company; that the Railway communicating between the said Stations belongs exclusively to the London and North-western Railway Company, and it would contribute to the public Convenience and to the efficient Conduct of the Traffic of the Lancashire and York-

shire Railway Company if the last-named Company were authorized to construct a Railway parallel and contiguous to that of the London and North-western Railway Company between the Two Stations aforesaid, and so as to connect by an unbroken Communication their Lines of Railway on the East and West Sides of Manchester.

Incorporation of General Acts, § 1.
Power to make Railway, §§ 2, 3.
Power to alter Engineering Works, § 4.
Certain Streets may be closed, § 5.
As to Works in Manchester, § 6.
Streets not to be interfered with, § 7.
Pipes protected, § 8.
Providing Compensation to Corporation of Salford, § 9.
Company may buy Part of Workhouse, § 10.
Protecting Gravel Lane Chapel and Property, § 11.
As to crossing of Back Thomson Street, § 12.
Defining Width of Railway over Streets in Salford, § 13.
Company to make Bridges drop-dry and keep them so, and in good Repair, and form Parapets, § 14.
Height of Bridges over Streets, § 15.
As to Construction of Bridges in Salford, §§ 16, 17.
Provisions as to Sewers and Pipes of the Salford Corporation, § 18.
Provision for avoiding Recesses under Bridges, § 19.
Corporation may enter upon a certain Plot of Land belonging to the Company, and lay same to New Bailey Street, § 20.
Corporation may enter upon Land under Bridges in Salford, § 21.
Company not to alter Levels of Streets, § 22.
Company not to interrupt the free Passage of any Street, § 23.
Sufficient Hoards to be erected, § 24.
Company to smooth off Buildings and prevent unsightly Appearances, § 25.
Plans, &c. of Bridges to be open to Inspection of Salford Surveyor, § 27.
Saving Rights of Salford Corporation, § 28.
Protecting Viaduct and Station of London and North-western Railway Company, § 29.
Three Years for compulsory Purchase of Lands, § 31.
Five Years for Completion of Railway, §§ 32, 42.
Tolls, § 33.
Power to raise 150,000*l.* by Preference Shares at 5*l.* per Cent., §§ 34 to 38.
Power to borrow 50,000*l.*, §§ 39 to 41.

Cap. cii.

"The North British (Galashiels and Peebles) Railway Act, 1861."

Recites that by "The North British Railway Consolidation Act, 1858," the Acts relating to the North British Railway Company were consolidated and amended; and by "The Border Union (North British) Railways Act, 1859," the said

Company were authorized to extend their Hawick Line to Carlisle; and by "The North British and Selkirk Railways Amalgamation Act, 1859," "The North British and Jedburgh Railways Act, 1860," "The North British Railway Stations Act, 1860," and "The North British and Border Counties Railways Amalgamation Act, 1860," further Powers were conferred upon the said Company; that the making of a Railway from the Hawick Line of the North British Railway, near Galashiels, to the Peebles and the Symington, Biggar, and Broughton Railways respectively, at Peebles, would be of great public and local Advantage; that an Agreement, set forth in the Schedule to this Act, has been made between the North British Railway Company, the Caledonian Railway Company, and the Symington, Biggar, and Broughton Railway Company, for the Conveyance of their Traffic over the intended Railway and the North British Railway to Galashiels, and otherwise, and it is expedient that such Agreement should be confirmed.

Incorporation of General Acts, §§ 1, 2.

Power to North British Railway Company to raise 95,000*l.* by Creation of new Shares, with or without a Preference not exceeding 5*l.* 10*s.* per Cent., §§ 4 to 7, 27.

Power to borrow 31,600*l.*, §§ 8, 9.

Power to make Railway, §§ 10 to 12.

Junction with the Peebles Railway, and the Symington, Biggar, and Broughton Railway, §§ 13 to 15.

Provisions as to Roads crossed on the Level, §§ 16 to 19.

Inclination of Roads on Railway, § 20.

Certain Roads and Footpaths may be stopped up, § 21.

Three Years for Lands to be purchased by Compulsion, § 23.

Five Years for Completion of Works, §§ 24, 25.

Tolls, § 26.

Confirming Agreement between North British, Caledonian, and Symington, Biggar, and Broughton Railway Companies, § 28.

Agreement as to Dues and Customs betwixt Town Council of Peebles and the Company, § 30.

Schedule: Agreement between the North British, the Caledonian, and the Symington, Biggar, and Broughton Railway Companies.

Cap. ciii.

"The Bishops Castle Railway Act, 1861."

Proposes the Construction of a Railway from the Oswestry and Newtown Railway near Montgomery, to the Shrewsbury and Hereford Railway near Stretford Bridge, and of Branches to Bishops Castle and Montgomery.

Incorporation of General Acts, § 1.

Subscribers incorporated, with a Capital of 180,000*l.* in Shares of 10*l.*, and with Power to borrow 60,000*l.*, §§ 3 to 7.

Meetings; Directors, §§ 11 to 19.

Line of Railway, §§ 20, 21.

As to Deviation at Lydham, § 22.

Company not to interfere with the Water of Lydham Mill and the Wells upon the Oakeley Estate, § 23.
As to Drainage Works on the Estate of the Reverend Arthur Oakeley, § 24.
Three Years for the compulsory Purchase of Lands, § 26.
Five Years for Completion of Works, §§ 27, 33.
Not to take Lands or interfere with Works of Oswestry and Hereford Companies, § 28.
Junctions with Oswestry and Newtown and Shrewsbury and Hereford Railways to be made in manner most approved, § 29.
Works at Junctions with other Railways to be done to Satisfaction of Engineers, § 30.
As to Expense of Signals, Watchmen, &c. at Point of Junction with the Oswestry and Newtown Railway, § 31.
As to Expense of Signals, Watchmen, &c. at Point of Junction with Shrewsbury and Hereford Railway, § 32.
Tolls, §§ 34 to 41.

Cap. civ.

"The Liverpool Burial Board Act, 1861."

Preamble recites that it is expedient to authorize the Liverpool Burial Board to acquire additional Land.
Incorporation of Lands Clauses Consolidation Acts; and Burial Board empowered to purchase Lands, § 1.
Lands to form Part of existing Burial Ground, § 3.
To be bought in Two Years, § 4.

Cap. cv.

"The Kingstown Waterworks Act, 1861."

Recites that in 1859 the Kingstown Waterworks Company were incorporated and authorized to construct Works for better supplying with Water the Inhabitants of the Towns of Kingstown, Monkstown, Dalkey, Bullock, Glasthule, and the Neighbourhood thereof, in the County of Dublin; that it has become expedient that the Company should be enabled to abandon a Portion of the Works authorized by the said Act, and instead thereof to construct the Works herein-after described; and that the Limits for the Supply of Water by the Company defined in, and the Periods for the compulsory Purchase of Lands and Completion of Works limited by, the recited Act should respectively be extended, and that the Company should be enabled to raise additional Capital.
Incorporation of General Acts, § 2.
Limits for Supply of Water extended, § 3.
Extending Time limited by recited Act for compulsory Purchase of Lands for Two Years, § 4.
Extending Time limited by recited Act for Completion of Works for Three Years, §§ 5, 6.
Power to construct Works, §§ 7 to 9.
Two Years for compulsory Purchase of Lands for new Works, § 10.

Three Years for Completion of new Works, § 11.
Extending Sections of recited Act as to Rates and Water Supply to this Act, § 13.
Works to be abandoned, and Compensation, §§ 14, 15.
Power to Company to increase their Share Capital by 16,000*l.*, § 16.
Power to borrow 4,000*l.*, §§ 17, 18.
Corporation of Dublin not to interfere with Company's Property or Rights until they agree to purchase the same, § 19.
Power for Company to sell and for Corporation to purchase, §§ 20 to 23.

Cap. cvi.

"The Midland Railway (Additional Powers) Act, 1861."

Proposes to enable the Midland Railway Company to construct Works and to acquire additional Lands in the Counties of Derby, Lancaster, Nottingham, Warwick, and Gloucester, and the West Riding of the County of York, and to vest in them the Undertaking of the Dursley and Midland Junction Railway Company; also to empower the Company to purchase by Agreement the Midland Hotel and the Rutland Brewery adjoining thereto, situate in Midland Road and Nelson Street, Derby, and the Hotel known as the Normanton Hotel, situate near the Normanton Station, in the West Riding of the County of York, and to erect an Hotel, with Refreshment Rooms and other Conveniences connected therewith, on Land belonging to the Company at or near the Station of the Company in the Parish of Leeds in the West Riding of the County of York, and to lease for a Term of Years or otherwise the Hotels and Conveniences connected therewith, to be purchased or constructed by the Company under the Provisions of this Act, and to subscribe and contribute Funds towards the Erection of an Hotel and Accommodations and Conveniences connected therewith near to the Company's Station at Sheffield in the West Riding of the County of York, and to raise further Monies.
Incorporation of Acts, § 2.
Power to take Lands and make Railways, §§ 4, 5.
Power to alter Engineering Works, § 6.
Regulating Construction of Bridge across the River Lune, § 7.
Admiralty Provisions, §§ 8 to 11.
As to Portions of Selston Branch and North-western Railway rendered unnecessary by Deviation, § 12.
Power to make Deviation in Wilford Road, § 13.
Provision as to Width of Wilford Road, and Lands of Trustees of Robert Booth, § 14.
Power to alter Line and Levels of public Highway leading from Normanton to Altofts, § 15.
Two Years for compulsory Purchase of Lands, § 16.
Three Years for Completion of Railways, §§ 17, 18.

Authorizing Sale of Lands belonging to the Duchy of Lancaster, and providing for Application of Purchase Money, §§ 19, 20.
Power to purchase Midland and Normanton Hotels, &c., § 21.
Property at Normanton to form Part of Joint Station, § 22.
Power to erect Hotel at Leeds, § 23.
Power to lease Hotels, § 24.
Power to contribute to Hotel at Sheffield, § 25.
Power to agree for Transfer of Dursley Railway to Company; Saving Rights and Liabilities, §§ 26 to 46.
Parts of Companies Clauses Act incorporated, § 47.
Power to create new Capital of 100,000*l.* by new Shares, with a Preference not exceeding 5*l.* per Cent. §§ 46 to 59.
Power to borrow 33,300*l.* §§ 60, 61.

Sect. 5, of 23 & 24 Vict. c. lxvii., as to Church in St. Pancras, London, repealed.

62. Whereas in pursuance of the Fifth Section of "The Midland Railway (London Station) Act, 1860," the Company have purchased the new Site therein referred to for the Purpose of a Church, Schools, and Parsonage, and have conveyed the same to the Ecclesiastical Commissioners for England, but it hath been deemed by the Vicar of the Parish of Saint Pancras and by the Ecclesiastical Commissioners that another Site would be more convenient, and that instead of the building of the Church, Schools, and Parsonage by the Company to the Satisfaction of the said Vicar, as provided for in the said Section, it is expedient that the same should be built by the said Vicar to the Satisfaction of the said Commissioners out of Funds to be partly supplied by the Company, and the Commissioners, Vicar, and Company have consented to the Alteration of the Provisions of the said Fifth Section accordingly: Be it enacted, That the said Section be repealed, and that it shall be lawful for the said Ecclesiastical Commissioners to accept a Conveyance of any new Site or Sites, or to appropriate any Portion of their own Land as such Site or Sites which they shall approve and consider suitable for the Purpose, and that upon their Seal being affixed to such Conveyance or to a Deed of Appropriation by way of Declaration of Trust by them of such Site or Sites, the Land so conveyed by the Company and secondly described in the 3d Section of the said Act shall be and remain vested in the said Commissioners as Part of their Common Fund, and free from any Trust or Obligation with respect to the Erection thereon of a Church, Schools, or Parsonage.

Company to provide Funds for Erection of Church, &c.

63. Within One Month after the passing of this Act, the Company shall pay the Sum of 6,000*l.* to such Persons as shall be agreed upon between them and the Vicar of Saint Pancras, to be applied by such Persons, together with the Interest accruing thereon, for the Erection by the said Vicar to the Satisfaction of the said Commissioners of a Church, Schools, and Parsonage upon such Site or Sites; the Materials of the Church and the Materials prepared for the same referred to in the said Section shall belong to the said Vicar, to be used in the Erection of the new Buildings, or to be converted into Money, and to go in aid of the Fund for the aforesaid Build-

ings, and shall be removed by him within Six Months after the passing of this Act; and if such Materials are not removed within such Period, it shall be lawful for the Company to remove the same to some other equally safe and convenient Place on their own Land in the immediate Neighbourhood, in order to their being so used or converted into Money by the Vicar; and the Vicar shall be entitled for the Purpose aforesaid to any Sums of Money to be received under any Grants made or to be made by any Body Corporate or Society, and available for the building of such Church, Schools, or Parsonage; the existing Schoolroom referred to in the same Section and the Approaches thereto shall not be interfered with by the Company for Three Years after the passing of this Act, unless in the meanwhile other Schoolrooms shall have been erected and made ready for Use; and after either of the said Periods the existing Schoolroom may be occupied or removed by the Company, and subject to this Restriction the Portion of Land first mentioned in the 5th Section of the said Act shall, on Payment by the Company of the said Sum of 6,000*l.* to such Persons as aforesaid, become vested in the Company without any further Conveyance or Assurance.

Company may apply Corporate Funds to Purposes of Act, § 64.

Saving Rights of the Crown and the Duchy of Lancaster, § 86.

Schedules:

1. (Form).
2. (Agreement).

Cap. cvii.

"The Cork and Youghal Railway Act, 1861."

Recites that by the Acts contained in the Schedule the Cork and Youghal Railway Company have been authorized to construct a Railway from Saint Patrick's Hill in the City of Cork to the Town of Youghal, and also to construct a Branch Railway to the Harbour of Queenstown, and the Railway is now open for public Traffic between Cork and Youghal, and it would conduce to the public Convenience if the Company were authorized to extend their Railway into the Town of Youghal; that the Time granted to the Company for the Purchase of Lands by their Act of 1855 expired in the Year 1858, and the Time granted for the Execution of the Works therein authorized expired in the Month of July 1860, and the Time granted by the Act of 1856 for the Purchase of Lands expired in 1859, and the Time for the Execution of the Works therein authorized will expire in the Month of June 1861; and it is expedient that the Power of purchasing certain Lands herein-after mentioned should be revived, and that the Time for executing the Works authorized by the said Acts should be extended; that in the Construction of the Railway it has been found either impracticable or to be attended with Inconvenience to the Public, that the Four Roads herein-after mentioned should be crossed by the Railway otherwise

than on the Level, and accordingly the Railway has been made on the Level of the said Roads, and it is fitting that express Provision should be made for regulating such Crossings; that certain Provisions are made in the original Act of the Company (1846), and are repeated in the Acts of 1854 and 1855, to secure the uninterrupted Navigation of Glanmire Creek and other tidal Waters, and it is expedient that the said Provisions should be amended; that by the 31st Section of the Act of 1846 the Company are required, before constructing any Part of their Railway upon the Slob of the River Lee, to deposit 10,000*l.* with the Cork Harbour Commissioners, "to be expended by the "said Commissioners in the necessary Works for widening "the said River Lee and in improving the Navigation "thereof," and the same Enactment is repeated in the Act of 1854, but is repealed in the Act of 1855, which provides "that the said Sum of 10,000*l.* shall be paid by the Company "on the 1st Day of August 1860, and shall be a Charge "on the Undertaking of the Company and upon all Calls "upon the Shareholders to be made after that Day," and the said Charge has by the said Act Priority over all Mortgages granted by the Company, unless to the Exchequer Loan Commissioners; and in order to enable the Company to provide for the said Payment it is expedient that the Provisions herein-after contained should be made with respect to the said Sum; that the Share Capital of the Company was reduced by the Act of 1854 to 375,000*l.*, and the Company were thereby authorized to borrow 125,000*l.*, and by the Act of 1855 to raise an additional Sum of 50,000*l.* by Shares, and 16,000*l.* by Mortgage; that by the Act of 1857 (§ 3), the Company are prohibited from issuing certain cancelled Shares representing 105,000*l.*, and the Share Capital of the Company as authorized by the Act of 1854 is thereby reduced to 270,000*l.*, and the Loan Capital is reduced to 90,000*l.*, but the Capital authorized to be raised by Shares and Loan under the Act of 1855 is expressly saved; that it is expedient that the Company should have Power to raise additional Capital, not only for the Purposes of this Act but for the general Purposes of their Undertaking.

Incorporation of General Acts, § 1.

Power to construct new Line of Railway, §§ 2 to 5.

Maintaining Access to River across Railway at Youghal and Admiralty Provisions, §§ 6 to 12.

As to Quay at Queenstown, § 13.

As to crossing certain Roads, §§ 14 to 17.

Reviving Time for the Purchase of certain Lands until 1st January 1863, § 18.

Extending Time for Construction of Works until 1st January 1863, §§ 19 to 22.

Lands to be bought by Compulsion in Two Years, § 23.

Three Years for Completion of Works, § 24.

Confirming Agreement with Port of Dublin Corporation, § 26.

Tolls upon new Railway, § 27.

Application of Monies, § 28.
Power to Company to raise additional Capital of 45,000*l.* by new Shares, with or without a Preference of 6*l.* per Cent., §§ 29 to 34.
Power to borrow 15,000*l.*, §§ 35, 36.
As to crossing Glanmire Creek, &c., § 39.
Section 31 of 9 & 10 Vict. c. cccxcvii. repealed, § 40.

As to Payment of 10,000*l.* to Cork Harbour Commissioners.

41. It shall be lawful for the Company, for the Purpose of raising the necessary Monies for paying the said Sum to the Commissioners for improving and preserving the Port, Harbour, and River of Cork, to borrow on Mortgage the Sum of 10,000*l.*, bearing Interest at a Rate not exceeding Five per Centum per Annum; the said Mortgage shall have Priority over all the other Mortgages of the Company save and except any Mortgage or Bond which may have been given or may hereafter be given or executed by the Company for securing the Repayment of any Money borrowed by the Company from the Exchequer Loan Commissioners under the Borrowing Powers or other Authority contained in any of the Acts mentioned in the Schedule hereto or in this Act; and the Holders of such Mortgage shall have all the Powers as to Sale or Transfer thereof which the other Mortgagees of the Company rightfully possess: Provided always, that until the said Sum of 10,000*l.* is paid to the Cork Harbour Commissioners, nothing herein contained shall affect any Priority of Charge which they now possess over the Undertaking of the Company, or their Right to enforce the Payment thereof.

Saving Rights of Cork Harbour Commissioners, and of Crown, §§ 42, 43.

SCHEDULE,

Enumerating the Acts relating directly to the Company.

9 & 10 Victoria, Cap. 397.

An Act for making a Railway from Cork to Waterford, with Branches therefrom; the Short Title of which Act is "The Cork and Waterford Railway Act, 1846."

14 & 15 Victoria, Cap. 95.

An Act to enable the Cork and Waterford Railway Company to make Arrangements as to their Capital, and to provide for the immediate Completion of the Tramore Branch; the Short Title of which Act is "The Cork and Waterford Railway Amendment Act, 1851."

17 & 18 Victoria, Cap. 206.

An Act to extend the Powers of the Cork and Waterford Railway Company, and to enable them to abandon Part of their Railway to Waterford and the Branch to Tramore, and for other Purposes; the Short Title of which Act is "The Cork and Youghal Railway Act, 1854."

18 & 19 Victoria, Cap. 101.

An Act to enable the Cork and Youghal Railway Company to make a Branch Railway to Queenstown, and to make

certain Deviations in and an Extension of their Line, and for other Purposes; the Short Title of which Act is "The Cork and Youghal Railway (Queenstown Branch, &c.) Act, 1855."

19 & 20 Victoria, Cap. 33.

An Act to authorize the Cork and Youghal Railway Company to extend their Railway into Cork, and for other Purposes; the Short Title of which Act is "The Cork and Youghal Railway Amendment Act, 1856."

20 & 21 Victoria, Cap. 51.

An Act to extend the Time for making the Cork and Youghal Railway, and to vary the Borrowing Powers of the Company; the Short Title of which Act is "The Cork and Youghal Railway Act, 1857."

Cap. cviii.

"East India Irrigation and Canal Act, 1861."

Preamble recites that by Articles of Settlement, dated the 1st Day of August 1860, a Company was formed under the Name or Style of "The East India Irrigation and Canal Company," for the Purpose of constructing, maintaining, working, and navigating within the Dominions of Her Majesty the Queen known as the East Indies, and the adjacent States and Territories, Works for the Irrigation of Land, combined, wherever practicable, with navigable Canals, and navigable Canals where Irrigation is not required, and also for affording additional Means of Transport and Water Supply within such Dominions, States, or Territories, or either of them; that the Company propose to commence Operations by the Execution of a Work for Irrigation and Navigation, a Portion whereof will be situated in and affect the Deltas of the Mahanuddy, the Byturny, and the Brahmany, in the Province of Orissa; that the Objects of the Company if carried into effect would be of great public Advantage, not only to the Inhabitants of India, but also to Commerce in general; but the same cannot be fully effected without the Incorporation of the said Company by Act of Parliament, and that further Powers should be granted to the said Company.

Incorporation and Purposes of Company.

1. Philip Anstruther, the Honourable Philip Pleydell Bouverie, John Grimes, William Campbell Onslow, Sir George Pollock, James Thomson Westrop Watkins, and all other Persons and Corporations who immediately before the passing of this Act were Proprietors or Shareholders in the East India Irrigation and Canal Company, under or by virtue of the said Articles of Settlement, or shall hereafter become Shareholders in the Company, and their respective Executors, Administrators, Successors, and Assigns, shall be and are hereby united into One Body Corporate under the Name of "The East India Irrigation and Canal Company," for the Purposes and Objects herein-after mentioned; (that is to say,) the Construction, Improvement, Maintenance, and Manage-

ment of Works for Irrigation of Land, combined, wherever such Combination may be considered practicable and advantageous, with navigable Canals, and of navigable Canals and Tramways within the Dominions of Her Majesty the Queen known as the East Indies, or in any of the adjacent States and Territories; the rendering navigable and improving the Navigation of any Rivers or Waters within such Dominions, States, and Territories; the taking or levying of Tolls on such Irrigation Works and Canals, Rivers, or Waters, and on such Tramways; the Conveyance of Passengers, Animals, Vehicles, Merchandise, and all other Goods upon all or any of such Canals, Rivers, or Waters, or upon any Rivers or Canals in any way connected therewith, or upon such Tramways; the Hiring and Purchase of Steam and other Boats and Vessels, and Engines and Carriages, the using or working and letting the same on Hire on such Canals, Waters, and Rivers, and Tramways; the Construction, Improvement, Maintenance, and Management of Works for the Supply of Water; and the Supply of Water to the Secretary of State for India in Council, or the Supreme or any of the Local Governments of India, or to any Body or Bodies Politic or Corporate, Person or Persons, for Mills, Manufactories, Irrigation, domestic or other Purposes within the Dominions, States, or Territories aforesaid; the Construction, Maintenance, Working, and Management of Mills and other Buildings upon or contiguous to such Canals, Waters, Rivers, and Tramways, the letting or leasing the same or any of them; the Planting, Cultivation, Working up, and Sale of Timber and other Productions of the Soil contiguous as aforesaid; the acquiring and working of Mines of Coal, Iron, and other Minerals, and the Manufacture of the Produce thereof; the Erection and carrying on and working of Furnaces, Forges, Smelting Houses, Gasworks, and other Works for furthering the Objects of the Company, and the Sale and Disposal of the Produce thereof, the obtaining of all such Powers, the entering into all such Contracts, and the doing of all such Acts, Matters, or Things as are or may be expedient for, or incidental, necessary, or conducive to the Attainment and carrying out of such Purposes or Objects, or any or either of them, either by the Company alone or jointly with any other Company, or in conjunction with the Secretary of State in Council, or the Supreme or any of the Local or Native Governments of India, or any other Body or Bodies Politic or Corporate, or any Person or Persons: Provided always, that only such of the Purposes or Objects aforesaid shall be carried out or into operation as shall be agreed upon between the Company and the Secretary of State in Council, or the Supreme or any of the Local Governments of India; and the Company, by the Name aforesaid, shall have perpetual Succession and a Common Seal, and by such Name shall and may sue and be sued, and shall have Power to take and hold Lands for all or any of the Purposes aforesaid, without incurring any Penalties or Forfeitures, and shall have such further Powers as are herein-after mentioned: Provided also, that no Tolls shall be levied under

the Provisions of this Act until the same shall have been defined and sanctioned by the Authority of an Act of the Indian Legislature, and that the Company shall not carry into effect or execution any of the Purposes or Objects aforesaid within the Territories or Places mentioned in "The Madras Irrigation and Canal Act, 1858," Orissa alone excepted.

For vesting Property of the Company in the Corporation, § 2.
Company may hold Lands in England, § 3.
Incorporation of the Companies Clauses Consolidation Act, § 4.
Provisions as to special Application of the Act to India, § 5.
Capital 2,000,000*l.* in 20*l.* Shares; First Issue to be 1,000,000*l.*, § 6.
Power to increase Capital, § 7.
Capital may be raised and kept distinct for separate Undertakings, § 8.
Shares in separate Capital to be called by Reference to Work, § 9.
Separate Capital and Revenue Accounts to be kept, but general Charges to be apportioned, § 10.
Monies raised for particular Work to be applied for that only, § 11.
For general Purposes, the separate Capital to be treated as One united Capital, but as to Matter of special Interest, only Shareholders interested therein to vote, § 12.
Power to consolidate Shares, § 13.
Offices may be established in India for the Registration of Shares, &c., § 14.
Persons may be appointed to issue Shares, &c., and Powers may be delegated, § 15.
Registers to be kept at Offices in India, § 16.
As to Registry of Transfer of Shares, § 17.
Shares, &c. may be transferred from one Register to another at the Option of the Holder, § 18.
For determining the Laws affecting any Share, &c., § 19.
Calls, § 20.
Powers to invest Capital until required, § 21.
Interest at 5 per Cent. may be paid on Capital during Progress of Works; Capital Account to be recouped out of Profits, § 22.
Power to borrow Amount equal to One Third of Share Capital, § 23.
Receiver, § 24.
Power to close Register of Transfers, § 25.
Ordinary Meetings to be held half-yearly, § 26.
Quorum for a General Meeting, § 27.
Proxies of Shareholders out of United Kingdom, § 28.
Poll how to be demanded and taken, § 29.
Number, Powers, and Election of Directors, § 30 to 32.
Directors in London to appoint Directors in and for India, § 33.
Qualification of Directors, § 34.

Power by special Resolution to remove Director and appoint another, § 35.
Qualification and Rotation of Auditors, § 36.
Advertisement of Notices, § 37.

Cap. cix.

"The Leigh District Gas Act, 1861."

Proposes to incorporate a Company for better supplying with Gas the Townships of Atherton, Bedford, Pennington, Tyldesley-cum-Shackerley, West Leigh, and other Places in the County of Lancaster.
Incorporation of General Acts, §§ 1 to 3.
Limits of Act, § 4.
Incorporation of Company, with a Capital of 30,000*l.*, in Shares of 10*l.*, and with Power to borrow 7,500*l.*, §§ 5 to 10.
Meetings; Directors, §§ 11 to 18.
Company may make and maintain Gasworks, and manufacture Gas, &c., § 19.
Limits for Erection of Works, § 20.
Power to purchase Land by Agreement for Gasworks, § 21.
Power to lay Pipes against Buildings, § 22.
Meters, § 23.
Limiting Price of Gas, § 24.
Testing of Quality of Gas, §§ 25 to 28.
Purchase of Works of certain other Gas Companies, §§ 29 to 34.
Penalty for damaging, &c. Meters, § 35.
Lands for additional Purchases, § 36.
For Protection of the London and North-western Railway Company, § 38.
Gas Pipes, &c. not to be laid or maintained within the Lands, &c. of the Duke of Bridgewater's Trustees, or of the Earl of Ellesmere, in Tyldesley-with-Shackerley, without Consent, § 39.
Gasworks, &c. not to be made or Gas supplied within certain Limits in the Township of Atherton, § 40.
Gasworks, &c. not to be made or Gas supplied within certain Limits in the Township of Tyldesley-cum-Shackerley, § 41.
Recovery of Charges for Supply of Gas, §§ 42 to 44.

Cap. cx.

"The London and North-western Railway (Cheshire Lines) Act, 1861."

Proposes to authorize the London and North-western Railway Company to construct a Railway from their Railway near Stockport, to Northenden Road near Cheadle, and also a Railway from their existing Railway, near the Chelford Station thereon, to Knutsford, with a Branch therefrom; recites that on the deposited Plans and Sections the following Lines of Railway are laid down; (that is to say,)

First. A Railway to commence in the Township of Cheadle Bulkeley and Parish of Cheadle in the County of Chester, by a Junction with the London and North-western Railway at or near the Point of Junction therewith of the Stockport, Disley, and Whaley Bridge Junction Railway, and to terminate in the Township of Altrincham in the Parish of Bowden in the same County, by a Junction with the Warrington and Stockport Railway:

Secondly. A Railway to commence in the Township of Cheadle Bulkeley aforesaid by a Junction with the said intended Railway near to and on the Southerly Side of certain Bleach Works, called the Edgeley Bleach Works, and to terminate in the Township and Parish of Stockport by a Junction with the Stockport, Disley, and Whaley Bridge Junction Railway at a Point to the South-east of the Junction of the last-mentioned Railway with the London and North-western Railway:

Thirdly. A Railway to commence in the Township of Timperley and Parish of Bowden aforesaid, by a Junction with the intended Railway first herein-before described, in or near to a field adjoining the Road leading from the Turnpike Road from Manchester to Chester to the Village of Four Lane Ends on the South Side of such Road, and belonging to Robert Marsland, Esquire, and in the Occupation of William Goodin, and to terminate in the same Township and Parish by a Junction with the Manchester South Junction and Altrincham Railway at a Point South of the Timperley Station on the last-named Railway:

that a Portion of the said Lines of Railway, as delineated on the said Plans and Sections, namely, so much thereof as is situate between Northenden Road and the Terminus thereof at Timperley, follows nearly the same Course as, and is almost identical with, a Portion of the Lines of Railway proposed to be authorized by a Bill now pending in Parliament, intituled "A Bill for incorporating the "Stockport, Timperley, and Altrincham Railway Com-"pany, and for authorizing them to make and maintain "the Stockport, Timperley, and Altrincham Railway, and "for other Purposes," in this Act called "the Stockport and Altrincham Bill," and inasmuch as it is inexpedient that a Second Line of Railway should be made between the Points aforesaid, it has been agreed between the Company and the Provisional Directors of the Company proposed to be incorporated by the said Stockport and Altrincham Bill, in this Act called "the Stockport and Altrincham Company," that the Railway to be constructed under the Authority of this Act shall terminate by a Junction with the Railway proposed to be authorized by the said Stockport and Altrincham Bill at or near Northenden Road, and that such Provision as is herein-after contained shall be made with reference thereto.

Incorporation of General Acts, §§ 2, 3.
Power to take Lands and to make Railways, §§ 4, 5.
Power to alter Engineering Works, § 6.
Junctions may be made with Stockport and Altrincham Railway, § 7.
Power to Company to use Portion of Stockport and Altrincham Railway, § 8.
Prohibition of Station, &c. within 100 Yards of House of Correction, &c., § 9.
Levels of Railway through Mr. Legh's Property, § 10.
Company not to deviate to the North of the Centre Line of the Railway in passing through Mr. Legh's Estate, § 11.
Company not to erect Houses, &c., nor make Bricks, &c., on certain Lands belonging to Norbury Booths Hall, § 12.
A Bridge to be erected to carry the Road, 74, over the Railway, § 13.
Company to make Satisfaction for Damage done to the Norbury Booths Estate, § 14.
Railway to be carried over the Manchester and Wilmslow Turnpike Road by a Bridge, §§ 15, 16.
Three Years for compulsory Purchase of Lands, § 18.
Five Years for Completion of Railways, §§ 19, 20.
Power to raise 133,500*l.* additional Capital, §§ 21 to 25.
Power to borrow on Mortgage 44,500*l.*, §§ 26, 27.

Cap. cxi.

"The Alton, Alresford, and Winchester Railway Act, 1861."

Proposes the making of Railways in the County of Southampton, from the Alton Station of the London and South-western Railway to Alresford, and from Alresford to Headbourne Worthy, near Winchester.
Incorporation of General Acts, § 1.
Subscribers incorporated, with a Capital of 150,000*l.*, in Shares of 10*l.*, and with Power to borrow 50,000*l.*, §§ 3 to 9.
Meetings; Directors, §§ 10 to 15.
Power to make Railways and to alter Engineering Works, §§ 16, 17.
Communication with South-western Railway, §§ 18 to 21.
Three Years for compulsory Purchase of Lands, § 24.
Five Years for Completion of Works, §§ 25, 26.
Tolls, §§ 27 to 36.
Settlement of Differences by Arbitration, § 37.
Power to enter into Traffic Arrangements with South-western Company, §§ 38 to 43.
Saving Rights of the Crown, § 47.

Cap. cxii.

"Clifton Suspension Bridge Act, 1861."

Preamble recites "Clifton Bridge Act," 11 Geo. 4. c. lxix., and the Acts 6 Will. 4. c. vi., 4 Vict. c. xxix., 8 & 9 Vict. c. xxiv., 11 & 12 Vict. c. iv.; that under those Acts, or some of them,

the Trustees for executing the same acquired the whole or the greater Part of the Land required for building the Bridge, and making the necessary Roads and Approaches to the same, and they commenced the building of the Bridge and the Formation of the Roads and Approaches, but the Time limited by the Acts for the Completion of the Bridge, Roads, and Approaches expired on the 29th Day of May 1853, and the Works since that Period have remained in an incomplete State; that the Trustees had expended all the Money contributed and raised under the Provisions of those Acts in the Purchases and Works aforesaid; that certain Persons named in the Act are willing at their own Cost to complete a Bridge with Roads and Approaches to the same, in or near to the Situation in which the Bridge, Roads, and Approaches authorized by the recited Acts were to be situate, upon having the Estate and Interest of the Trustees in the Land and Buildings on both Sides of the River granted to them as herein-after mentioned; that at a Meeting of the Committee of Management of the Trustees held on the 8th Day of June 1861, it was resolved that the Trustees will, on receiving paid-up Shares to the Extent of 2,000*l.* in the proposed Undertaking, and on Parliamentary Powers being obtained enabling them so to do, convey to the proposed new Company all the Estate and Interest of the Trustees in the Land and Buildings on both Sides of the River, on the new Company being bound by the Act to complete a substantial Bridge and Approaches for Carriages and Foot Passengers, to the Satisfaction of the Board of Trade, or the President of the Institution of Civil Engineers for the Time being, or such Engineer as he may appoint for the Purpose, within Five Years from the Time of the passing of such Act; that the Completion of the Bridge, Roads, and Approaches will be a Work of great Utility, and it is expedient that Powers should be conferred for that Purpose.

Incorporation of Companies and Lands Clauses Acts, § 2.
Proprietors incorporated, with Capital of 35,000*l.*, in Shares of 10*l.*, §§ 4, 5.
Calls, § 6.
Power to borrow 11,600*l.*, § 7.
Application of Money, § 8.
Number and Qualification of Directors, &c., §§ 9 to 12.
Meetings of Shareholders, §§ 13, 14.
Trustees to convey their Interest in Land to Company on receiving 2,000*l.* in Company's Capital, § 15.
Trustees to dispose of Shares to satisfy Claims on them, § 16.
Repealing certain Sections of first-recited Act, § 17.
Altering Provisions in recited Act as to Quorum and Number of Trustees, § 18.
Acts of Trustees valid, although Number less than 18, § 19.
Trustees to reside within 7 Miles of Bridge, § 20.
Company to complete Bridge and Works, § 21.
Deviation from Lines and Levels, §§ 23, 24.
Part of Approaches how to be fenced off, § 25.
Five Years for completing the Bridge, § 26.

For preventing Injury to Bridge, § 27.
Penalty on Persons committing Offences on Bridge, &c., § 28.
Power to erect Toll Gates and collect Tolls; Tolls, §§ 29 to 39.
Toll Collectors and Lessees of Tolls, §§ 40 to 45.
Limiting the Weight to be carried over the Bridge, §§ 46 to 49.
Annual Account to be made up and transmitted to the Clerk of the Peace, § 50.
Compensation to be made for Rownham Ferry, § 51.
Bridge to be public, but not a County Bridge, § 52.
Bridge to be deemed to be in the County of Somerset, § 53.
Company to pay annually to Trustees 50*l.*, § 54.
Profits of the Company limited to 7½ per Cent., § 55.
If Profits exceed Amount limited, Excess to be paid to Trustees, § 56.
Trustees may receive Money to aid the Bridge becoming free from Toll, § 57.
Application of Money paid to Trustees, § 58.
As to the Mode of discharging Debts and Capital, §§ 59 to 66.
Debts and Capital vested in Trustees, § 67.
When Capital of Company paid off, Powers of Company to cease and certain Powers transferred to Trustees, § 68.
When Tolls are to cease, § 70.
Accumulation Fund to be under the Control of Trustees, § 71.
Power to levy further Tolls, § 72.
Notice to be given before further Tolls collected, § 73.
Bridge to be constructed in accordance with Plan; Admiralty Provisions, §§ 74 to 78.
Saving Rights of the Crown, § 79.
Saving Rights of the Mayor, &c. of the City of Bristol, § 80.

Cap. cxiii.

"Cheshire Midland Railway Act, 1861."

Recites Incorporation of Company by "Cheshire Midland Railway Act, 1860," with a Capital of 100,000*l.*, divided into 5,000*l.* Shares of 20*l.* each, and with Power to borrow not exceeding 33,000*l.*, and that the Company were authorized to make and maintain a Railway commencing by a Junction with the Manchester South Junction and Altrincham Railway at Altrincham in the County of Chester, and terminating in the Township of Witton-cum-Twambrooks in that County; and that Provision was made that, in the event of the London and North-western Railway Company, and the Manchester, Sheffield, and Lincolnshire Railway Company, or either of them, agreeing, within One Month after the passing of the reciting Act, to contribute respectively 30,000*l.* towards the Capital of the Company, Shares of the Capital should be assigned to them, and on the Payment thereof the contributing Company might use the Company's Railway, as therein expressed; that the Company are proceeding to put that Act into execution; that the Sheffield Company have agreed to contribute 30,000*l.*

towards the Capital of the Company, but the North-western Company, although requested by the Company to do so, have not agreed to make any Contribution towards the Capital of the Company; that it is expedient that the Company be authorized to make a Deviation from the authorized Line of their Railway; that some of the Powers and Provisions of the recited Act be amended; and that the Sheffield Company be authorized to make further Contribution, and also to work and use the Railway and Works of the Company.

Incorporation of Lands and Railways Clauses Acts, §§ 2, 3.

Power to take and use Lands for Works authorized by Act, § 4.

Compulsory Purchase of Lands to be made by 14th June 1863, § 5.

Power to make Railway authorized by Act, §§ 6, 7.

Power to alter Engineering Works, § 8.

Works to be completed by 14th June 1864, §§ 9, 13.

Power for Company to abandon authorized Line of Railway between Points of Deviation, and Compensation, §§ 10 to 12.

Running Powers to London and North-western Railway Company.

15. The London and North-western Railway Company may pass over and use with their Engines and Carriages and Servants, and for the Purposes of Traffic of all Kinds, the Railway of the Company, and the Stations, Sidings, Watering Places, Buildings, and Appurtenances, Works, and Conveniences belonging to or connected with the said Railway and Stations respectively, and the Company shall make all requisite Arrangements for that Purpose; the Terms and Conditions and Regulations to which the London and North-western Railway Company shall be subject in respect of the said Use and Services and Accommodation, and the Tolls or other Consideration to be paid by them for the same shall, if not agreed between them and the Company, be from Time to Time determined by an Arbitrator to be appointed by the Board of Trade, and the Decisions of such Arbitrator shall be binding and conclusive on all the Parties in difference, and the Costs and Expenses of such Arbitrator shall be defrayed as the Arbitrator shall direct, and either of the said Companies who shall refuse or neglect to perform, observe, and conform to any Decision given or Regulation made by any such Arbitrator in the Premises shall forfeit and pay to such Person or Company, as the Arbitrator shall determine, any Sum not exceeding 50*l.* for every such Refusal or Neglect, and 20*l.* for every Day during which such Refusal or Neglect shall continue: Provided always, that such User as aforesaid shall be subject to the Byelaws and Regulations of the Company for the Time being.

Facilities to the London and North-western Company.

16. In order to facilitate the Transmission of Traffic coming to or from the London and North-western Railway from or to any Place or Places on the Railway of the Company, or to any Places beyond, the London and North-western Railway Company shall, for the Purposes of all Traffic whatever, whether Passengers, Cattle, Goods, Minerals, or other Things, from Time to Time and at all Times hereafter, have the Right to book and invoice through over the Railway of the Company

Company all such Traffic intended to pass to or from the Line of the London and North-western Railway Company to any Place or Places on the Railway of the Company, or to any Places beyond, and the Company shall, for and in respect of all such Traffic, at all Times afford to and for the London and North-western Railway Company all needful Accommodations, Facilities, and Conveniences at, on, and over the Line and Stations, Approaches, and Conveniences of the Company, by the Trains of the Company, and by Through Booking and Invoicing, Through Rates, Through Waggons and Carriages, and shall at all Times and in all respects conduct, forward, carry on, and accommodate all such Traffic on equal Terms, with and as well as if it were their own proper Traffic; and the Charge to the London and North-western Railway Company shall in no Case exceed the Mileage Proportion of the Through Rates in respect of such Traffic after Deduction of the Charges on Goods usually agreed to be allowed between Companies using the Clearing House, and called there Terminal Charges, and the Government Duty on Passengers: Provided always, that the Rates and Charges shall be calculated as if the Traffic passed over the shortest Distance that the Lines of the Company and the London and North-western Railway Company in connexion would give; and out of such Charges the Company shall receive its full Mileage Proportion of the Distance which the Traffic passing over their Railway has actually traversed; and it shall be lawful for the London and North-western Railway Company, if they think fit, from Time to Time to have and employ at all or any of the Places and Stations aforesaid their own Booking and Invoicing Clerks, and Carting and other Agents, and the Company shall provide all proper and needful Accommodations for such Clerks and Agents; and if any Dispute shall at any Time arise between the Company and the London and North-western Railway Company as to the Amounts to be allowed or charged by the one to the other for the Services and Accommodations to be respectively performed and supplied as aforesaid, or as to any Matter or Thing in the foregoing Provision mentioned, the same shall from Time to Time be settled by Arbitration in the Manner provided for the Settlement of Disputes by Arbitration by "The Railway Companies Arbitration Act, 1859," and the Decisions of such Arbitrator shall be binding and conclusive on all the Parties in difference, and the Costs and Expenses of such Arbitrator shall be defrayed as the Arbitrator shall direct; and either of the said Companies who shall refuse or neglect to perform or observe and conform to any Decision given or Regulation made by any such Arbitrator in the Premises shall forfeit and pay to such Person or Company, as the Arbitrator shall determine, any Sum not exceeding 50*l.* for any such Offence, and 20*l.* for every Day during which such Offence shall continue.

As to Completion of Works on Lands of John Pennington Legh, Esquire, § 17.

Line to be deviated in the Town of Knutsford, § 18.

Application of Monies by Company, § 19.

20. The

Contracts between Company and Sheffield Company.

20. The Company and the Sheffield Company, with the Sanction of at least Three Fifths of the Votes of the Shareholders present, in Person or by Proxy, at a General Meeting of the respective Company specially convened for the Purpose, from Time to Time may make and carry into effect all such Contracts and Arrangements as the contracting Companies think fit with respect to the running over, working, and User by the Sheffield Company, with their own Engines, Carriages, and other Rolling Stock, and their own Officers and Servants, of all or any Part of the Railway, Sidings, Stations, Works, and Conveniences of the Company, on Payment by the Sheffield Company to the Company of such a fixed Toll as the contracting Companies agree on, or as failing their Agreement, is determined by a single Arbitrator, to be on their or either of their Application appointed by the Board of Trade.

Extending Provisions of recited Act relative to Working Agreements between Company and Sheffield Company to Deviation Line, § 21.

Power for Sheffield Company to guarantee Dividend or Interest or lend Money to Company.

22. The Sheffield Company, by Agreement with the Company, and on such Terms and Conditions as the Two Companies think fit, from Time to Time may guarantee the Payment of and pay any Interest or Dividend on all or any Part of the Capital of the Company, and may guarantee the Payment of and pay any Interest on all or any Part of the Money from Time to Time borrowed by the Company: Provided, that no such Guarantee shall be for a Period exceeding 21 Years, or shall be made without the Sanction of at least Three Fifths of the Votes of the Shareholders present, in Person or by Proxy, at a General Meeting of each of the Two Companies specially convened for the Purpose.

Power for Sheffield Company to subscribe 20,000*l.* more, and to raise the Money by Shares with or without a Preference not exceeding 5*l.* per. Cent., §§ 23 to 31.

Cap. cxiv.

"The North British and Peebles Railway (Lease) Act, 1861."

Recites that by "The North British Railway Consolidation Act, 1858," the Acts relating to the North British Railway Company were repealed, and their Provisions consolidated and amended; that by "The Peebles Railway Act, 1853," the Peebles Railway Company were incorporated and authorized to make a Railway from the Hawick Branch of the North British Railway to Peebles, and the said Two Companies were authorized to enter into Agreements with respect to the Use and Working of such Railway by the North British Railway Company, and for the Conveyance of the Traffic thereon, and otherwise in relation thereto; that by the Act of 1853 the Peebles Railway Company were authorized to raise 70,000*l.* by the Creation of Shares, and 23,000*l.* by borrowing, and by "The Peebles Railway Amendment Act, 1857," to raise 27,000*l.* by Preference Shares, and 9,000*l.* by borrowing on Mortgage; that the

Peebles Railway Company created 7,000 Shares of 10*l.* each for raising the original Capital of 70,000*l.*, and 2,700 5*l.* per Centum Preference Shares of 10*l.* each for raising the additional Capital of 27,000*l.*; that the Mortgage Debts of the Company do not exceed 32,000*l.*; that the Peebles Railway might be worked with greater Economy and Convenience to the Public if it were entirely under the Management and Control of the North British Railway Company, and the said Companies have agreed, subject to the Approval of Parliament, that such Railway should be leased in perpetuity to the North British Railway Company, and it is expedient that Provision should be made for carrying such Agreement into effect, and that the Provisions of the said Acts of 1853 and 1857 respectively should in some respects be amended.

Certain Provisions of the Companies Clauses Consolidation (Scotland) Act incorporated with this Act, § 1.

Peebles Railway Company to assign their Undertaking, § 2.

Certain Provisions of Peebles Acts to apply to North British Railway Company, § 3.

Repealing Provisions of the Acts of 1853 and 1857 as to borrowing on Mortgage, § 4.

Power for North British Railway Company to borrow on Mortgage Sums authorized to be borrowed by Peebles Railway Company, § 5.

20,000*l.*, Part of the Mortgage Debt of Peebles Railway Company, transferred to North British Railway Company as Consideration for Rolling Stock, &c., § 6.

Mortgages over 20,000*l.* to be deemed Debts of the Peebles Railway Company, § 7.

Saving Rights of Mortgagees, § 8.

Defining Amount of Capital of Peebles Company, § 9.

Separate Accounts to be kept of Traffic on Peebles Railway, and Peebles Company may inspect and audit same, § 10.

Moiety of Receipts to be paid into Bank to Credit of Peebles Company, § 11.

Half-yearly Application, § 12.

When the Half Year's Income not sufficient to pay the Liabilities and Dividends at the Rate of 5*l.* per Centum, the Deficiency to be made good by the North British Railway Company, § 13.

If the Half Year's Income more than sufficient to pay the Liabilities and Dividends at the Rate of 6*l.* per Centum per Annum, the Surplus to be divisible between the Two Companies, § 14.

Peebles Railway Company may set aside Sum for Payment of Tenants annual Claims, § 15.

Peebles Railway and North British Railway to be One for Purposes of Toll or Through Traffic, § 16.

Settlement of Disputes by Arbitration, § 17.

Cap. cxv.

"Shireoaks District Church Act, 1861."

Recites that by a Deed Poll dated the 24th Day of April 1802, under the Hand and Seal of the Reverend John Hewett, Clerk, the Lord of the Manor of Shireoaks, and Impropriator of all the Great Tithes within the Liberties of Shireoaks and Gateford in the Parish of Worksop in the County of Nottingham, and enrolled in Her Majesty's High Court of Chancery on the 27th Day of the same Month, John Hewett conveyed to Trustees a Piece of Ground at Shireoaks, to the Intent that a Chapel for the Celebration of Divine Service according to the Rites of the Church of England might be erected thereon, and might be licensed to be used accordingly, and for a Clergyman or Ministers in Holy Orders to officiate there, and charged his Tithes of the Lands in the Parish of Worksop, therein described, containing 652 Acres or thereabouts, with the Charge and Expense of the Reparations of the Chapel, and with the Payment of a clear yearly Sum of 70*l.* to the Incumbent from Time to Time of the Chapel; and that by an Act of the 47th Year of George the 3rd (1807), Session 2, Chapter lxi., intituled "An Act for settling the Right of Patronage "or Presentation of or to a Chapel to be called Shireoaks "Chapel in the Parish of Worksop in the County of "Nottingham," the Right of Patronage of the then intended Chapel was vested in John Hewett for his Life, and after his Decease in the Lord of the Manor of Shireoaks, and divers Provisions were made with respect to the Chapel and the Duty of the Minister thereof, and the Burials thereat, and the Fees for the Burials, and the Seats or Pews within the Chapel, and other Matters; that John Hewett accordingly built at Shireoaks a Chapel, and it was afterwards consecrated, and Divine Service has ever since been celebrated therein accordingly; that by a Deed Poll dated the 10th Day of March 1810, under the Hands and Seals of John Hewett and John Wheatley, and enrolled in Her Majesty's High Court of Chancery on the 12th Day of July in that Year, the same Tithes were charged with the Payment of the further clear yearly Sum of 20*l.* to the Officiating Minister from Time to Time of the present Chapel; that by a Deed Poll dated the 25th Day of August 1810, under the Hands and Seals of John Hewett and Charles then Duke of Norfolk, and enrolled in Her Majesty's High Court of Chancery on the 22d Day of November in that Year, the same Tithes were charged with the Payment of the further clear yearly Sum of 10*l.*, as to 6*l.*, Part thereof, to the Clerk from Time to Time of the present Chapel, and as to 4*l.*, Residue thereof, to be applied for Purposes of the present Chapel as therein expressed, and the Surplus, if any, to be paid to the Clerk; that by an Act of the 55th Year of George the 3rd (1815), Chapter 60, intituled "An Act for exonerating certain Tithes "in the Manor of Shireoaks in the Parish of Worksop

" in the County of Nottingham from the Payment of Four " several Annuities, and from the Repairs of the Chapel of " Shireoaks, and for charging Freehold Lands, and the " Tithes thereof, within the same Manor with the future " Payment of the said Annuities and with the said Repairs," the Tithes of the several Lands specified in the First Schedule to the reciting Act annexed were discharged from those Annuities, and the Lands specified in the Second Schedule to the reciting Act annexed, and the Tithes thereof, were vested in George William Frederick then Duke of Leeds, his Heirs and Assigns, upon the Trusts of the recited Deeds Poll concerning the Tithes therein respectively comprised; that the Tithes of the Lands specified in the Second Schedule to the Act of 1815 have been commuted; that William Viscount Nevill, Frederick Acclom Milbank, Thomas Fairfax, Sir James Fergusson, Baronet, and Henry Hudson are now the Trustees under the recited Deeds Poll; that Henry Pelham Duke of Newcastle, K.G., is now the Lord of the Manor of Shireoaks and Patron of the present Chapel, and Owner of the Lands specified in the Second Schedule to the Act of 55 Geo. 3; that a Colliery belonging to the said Duke of Newcastle has recently been opened at Shireoaks, and the Population of Shireoaks and the Neighbourhood thereof has considerably increased and is still increasing, and the present Chapel is insufficient for the Population there; that the Duke is desirous of building at his own Expense a new Church near to, and to be eventually substituted for, the present Chapel, and of providing a Burial Ground for the new Church, and of eventually converting the present Chapel into a Schoolhouse, and of eventually discontinuing as a Burial Ground Part of the Burial Ground belonging to the present Chapel, and it is expedient that Provision be made for those Purposes; that the said Duke has by a Deed Poll conveyed to Trustees for the Purposes of this Act the Land specified in the First Schedule to this Act annexed, and has charged the Lands specified in the Second Schedule to this Act annexed with the Expenses of the Maintenance and Repair of the new Church, and with the Payment to the Incumbent from Time to Time of the new Church of the yearly Sum of 100*l.*; that the said Duke is desirous and it is expedient that an Ecclesiastical District be assigned to the new Church, and the District be a District Parish, and the new Church be a Parish Church accordingly; that the Bishop of Lincoln, as the Ordinary, is desirous that the Objects of this Act should be attained.

Duke of Newcastle's Endowment Deed confirmed, § 2.

The Church Land vested in Trustees for Purposes of Act, § 3.

The Church Land to be used for Site of new Church Burial Ground and Approaches, § 4.

New Church and new Burial Ground may be consecrated, § 5.

Perpetual Right of Nomination vested in Duke of Newcastle as Lord of Manor of Shireoaks, § 6.

District may be assigned to new Church after Consecration, § 7.
Privileges of new Church, § 8.
New Burial Ground to be Burial Ground of District, § 9.
New Church to be subject to Jurisdiction of Ordinary and Archdeacon, § 10.
New Church not to be holden with any other Benefice, § 11.
One Half of the Sittings in new Church to be free, § 12.
The rest to belong to Patron, § 13.
No Pew Rents to be taken, § 14.
Churchwardens, § 15.
Clerk and Sexton, § 16.
The Endowment Lands charged with Repair of new Church and Payments to Incumbent, § 17.
Appropriation of present Chapel for Schoolhouse, § 18.
Appropriation of Part of present Burial Ground as Curtilage to Schoolhouse, § 19.
The other Part of present Burial Ground to be fenced off, § 20.
The Endowment Lands charged with yearly Sums instead of Lands in Second Schedule to Act of 1815, § 21.
Evidence of Consent of Ordinary for Purposes of Act, § 22.
Saving Rights of Incumbent and Clerk of present Chapel, § 24.
Saving Rights of the Crown, § 25.
Schedules.
1 and 2. Lands. 3. Mortgages.

Cap. cxvi.

"Weston-super-Mare Gaslight Act, 1861."

Preamble recites Incorporation of Company by 18 & 19 Vict. c. lxxxi., with a Capital of 8,000*l.* in 20*l.* Shares, and Power to borrow 2,000*l.*; that the Company have raised and borrowed the whole Sums authorized; that the Demand for Gas is still increasing, and the Company are desirous to raise further Capital and to extend their Limits of Supply.
Limits of recited Act extended, § 3.
Further Capital of 16,000*l.* may be raised, §§ 4, 5.
Limiting Calls, § 6.
Limiting the Amount of Dividend on new Capital to 7½ per Cent., § 7.
Power to borrow to Extent of One Fourth of the additional Capital for the Time being, § 8.
Application of Money, § 9.
Limit of Price of Gas, § 10.

Cap. cxvii.

"The Lambeth Bridge Act, 1861."

Recites that the making and maintaining a Bridge across the River Thames, connecting Church Street in the Parish of Saint Mary, Lambeth, in the County of Surrey, with Market Street in the Parish of Saint John the Evangelist within the City and Liberty of Westminster in the County of Middlesex, would be of great public Utility; that a

Local Act for incorporating a Company for making such a Bridge, and investing it with the requisite Powers for that Purpose, was passed in the Session 6 & 7 Will. 4. c. cxxxiv., and was afterwards amended by 1 & 2 Vict. c. lxvii., but that the Company incorporated by the said Acts never put the same into execution, and the Powers thereby conferred have expired by Effluxion of Time.

Incorporation of Companies Clauses and Lands Clauses Consolidation Acts, § 2.

Incorporation of Lambeth Bridge Company, with a Capital of 40,000*l.*, and Power to borrow 10,000*l.*, §§ 3 to 6.

Conditions of Mortgages, §§ 7 to 9.

Number and Qualification of Directors, §§ 11 to 15.

Power to take Land for the Works, § 16.

Two Years for compulsory Purchases, § 17.

Works authorized to be executed, § 18.

Fence to Bridge, § 19.

Incidental Works, § 20.

Provisions for Protection of Lambeth Palace and St. Mary, Lambeth Church, § 21.

Bridge to be made according to Plans deposited with Conservators, §§ 22 to 24.

Plans to be deposited for Approval of Admiralty, and Works to be in accordance with such Approval, § 25.

Directions as to Construction of Bridge, § 26.

Lights to be kept burning on Bridge, § 27.

Steps to be constructed at both Ends of Bridge, § 28.

If public Stairs shut up, Company to erect other Stairs, § 29.

1,000*l.* to be invested before Bridge commenced, § 30.

Admiralty may order local Survey, § 31.

Admiralty or Conservators may remove abandoned Works, § 32.

Saving Rights of Conservators, § 33.

For Protection of Sewers of Metropolitan and other Boards, § 34.

Four Years for Completion of Works, § 35.

Tolls; Collectors; Penalties, §§ 36 to 60.

Cap. cxviii.

"The Kingstown Improvement Act, 1861."

Recites 4 & 5 Will. 4. c. xc. for paving, watching, lighting, regulating, and otherwise improving the Town of Kingstown in the County of Dublin, and 7 & 8 Vict. c. cvi., being "An "Act to consolidate and amend the Laws for the Regulation "of Grand Jury Presentments in the County of Dublin," by which Act the Grand Jury of the said County at each Presenting Term are authorized to make Presentment for the making and maintaining of the Roads and Bridges within the several Baronies, including the Barony of Rathdown, in the said County, within which Barony the said Town of Kingstown is situate; that "The Towns Improvement (Ireland) Act, 1854," has been in due Form adopted by the Inhabitants of the said Town, and by the Adoption thereof the said first-recited Act is no longer in force so far as

regards such of its Provisions as have reference to the Purposes for which the said Improvement Act has been adopted; and it is expedient to transfer to the Commissioners elected and acting under and in virtue of the said Act, and the Acts partially or wholly incorporated therewith, the making, maintaining, and Management of the Roads, Bridges, and other Public Works within the said Town, and to make the Rates, by this Act authorized to be levied, chargeable with the Expense thereof, a Transference which the said Act by the 36th Section thereof contemplates, but fails in providing adequate Means for carrying into effect; and that it is expedient to exempt the rateable Property within said Town from the Cost of making and maintaining any other Roads or Bridges, or other like Works, within the said Barony of Rathdown, save and except the Blackrock Road as hereinafter mentioned.

Act to come into operation on 1st January 1862, § 1.
This Act and Towns Improvement (Ireland) Act, 1854, to be construed together, § 4.
Roads and Bridges of District exempted from Jurisdiction of Grand Jury and placed under the Commissioners, § 5.
Commissioners to have same Powers as Grand Jury, § 6.
Grand Jury not to make Presentments for repairing Roads, &c. within District assigned to Commissioners, § 7.
No Part of Salary of County Surveyors to be levied upon the District, § 8.
Purposes for which Commissioners authorized to levy Rates, § 9.
As to the Payment of Grand Jury Cess chargeable on the District, § 10.
Manner of enforcing Payment, § 11.
Warrants in force at Commencement of Act to continue, § 12.
Power to Commissioner to levy Rate for making and maintaining Roads, § 13.
Manner of levying Road Rate, § 14.
Vesting and Application of Rates, § 15.
Commissioners may order Works to be executed; may take Security from Contractor; and may bring Actions for Breach of Contract, § 16.
Compensation to Edward Love Alma, Baronial Collector, § 17.
Commissioners may cause a Pound to be erected for stray Animals, § 18.
Provision for future Extension of District, § 19.
Commissioners may superannuate Secretary, § 20.
Saving Rights of Commissioners of Kingstown Harbour, § 21.

Cap. cxix.

"Wivenhoe and Brightlingsea Railway Act, 1861."

Preamble proposes the making of a Railway from Wivenhoe to Brightlingsea in the County of Essex.
Incorporation of General Acts, §§ 2, 3.

Company incorporated, with a Capital of 25,000*l.*, and with Power to borrow 8,000*l.*, §§ 4 to 10.
Meetings; Directors, §§ 11 to 18.
Power to make and maintain Railway, § 19.
Two Years for compulsory Purchase of Lands, § 20.
Four Years for Completion of Works, §§ 21, 36.
Railway and Works authorized, § 23.
In a certain Event, Portion of Railway to be a Double Line, § 25.
Communication with Tendring Hundred Railway, §§ 26, 27.
Admiralty Provisions, §§ 28 to 35.
Tolls, §§ 37 to 45.
Saving Rights of Crown, § 46.

Cap. cxx.

"The Bognor Railway Act, 1861."

Proposes the making of a Railway from the London, Brighton, and South Coast Railway, in the Parish of Eastergate in the County of Sussex, to the Town of Bognor in the Parish of Bersted otherwise South Bersted.
Incorporation of Acts, § 2.
Subscribers incorporated, with a Capital of 30,000*l.*, in Shares of 20*l.*, and with Power to borrow 10,000*l.*, §§ 3 to 7.
Power to enter into Traffic Arrangements with London and Brighton Railway Company, §§ 9 to 14.
Meetings; Directors, §§ 15 to 22.
Line of Railway, §§ 23, 24.
Two Years for Lands to be purchased by Compulsion, § 26.
Four Years for Completion of Railway, §§ 27, 28.
As to Communication with the London, Brighton, and South Coast Railway, §§ 32 to 36.
Power to the London, Brighton, and South Coast Railway Company to subscribe 5,000*l.*, § 37.
Land of the Proprietors of the Portsmouth and Arundel Navigation not to be taken without their Consent; Easement provided, § 38.
Proprietors Rights and Privileges not to be prejudiced, § 39.
Mode of crossing the disused Portion of the Portsmouth and Arundel Navigation, § 40.
Tolls, §§ 41 to 50.

Cap. cxxi.

"The Portsea Island Gas Act, 1861."

Recites that by 1 & 2 Geo. 4. c. lxxiii. (Local) the Town of Portsea Gaslight Company were incorporated and empowered to raise a Capital of 30,000*l.*, and in case within Seven Years after the passing of the said Act the same should be found insufficient, to raise any further Sum not exceeding 7,500*l.*, for the Purpose of constructing Works and supplying the Island of Portsea with Gas; that they proceeded to execute the recited Act, and raised the Sum of 30,000*l.*, together with a further Sum of 1,800*l.*, Part of the said Sum of 7,500*l.*, and expended the same in and upon

the Purposes authorized by the said Act; that by "The Portsea Island Gas Company Act, 1852," the Company were empowered to raise a further Capital not exceeding 30,000*l.*, in such Shares and Proportions and at such Times as they should think proper, and the whole of such last-mentioned Sum of 30,000*l.* has been raised and expended upon the Undertaking, together with a further Sum of 9,012*l.* 10*s.* out of the Profits of the Undertaking; that they will require a further Sum of 30,000*l.* to provide adequately for the increased Demand for Gas in the District, and it is expedient that the Capital of the Company should be increased, and that the Company should be authorized to borrow Sums on Mortgage or Bond.

Repealing certain Provisions of 1 & 2 Geo. 4. c. lxxiii.,—§ 2.
Extending certain Provisions of General Acts, § 3.
Limits, § 4.
Company empowered to raise 30,000*l.* by new Shares, § 5.
Half of the new Shares to be allotted amongst the old Proprietors, § 6.
Sale of the other Half by Auction, § 7.
Premiums not to bear Dividend, § 8.
New Shares which cannot be sold to be offered to existing Shareholders, §§ 9 to 13.
Power to create Shares in respect of 9,000*l.* to be deemed fully paid up, § 14.
Power to borrow to the Amount of One Fourth of paid-up Capital, § 15.
Limit of Price of Gas, §§ 16, 17.
Public Lamps, § 18, 19.
Quality of Gas, §§ 20 to 23.
Company to lay down Mains, § 27.
Meetings of the Company, § 29.
Committee of Management increased to Seven Members, § 30.
Land of the Company increased, § 31.

Cap. cxxii.

"The Dublin and Antrim Junction Railway Act, 1861."

Proposes to make a Railway from the Ulster Railway near Lisburn to the Belfast and Northern Counties Railway at Antrim; to enable the Ulster Railway Company and the Belfast and Northern Counties Railway Company to subscribe towards the Undertaking of the Company incorporated by this Act; to authorize the Company and the Ulster Company and the Belfast Company to enter into Working and Traffic Agreements, and to provide for the Use by the Company of any Station which may be constructed by the Ulster Company at Knockmore, and also of the Antrim Station of the Belfast Company.

Incorporation of General Acts, § 2.
Subscribers incorporated, with a Capital of 120,000*l.*, in Shares of 10*l.*, and Power to borrow 40,000*l.*, §§ 3 to 9.
Meetings; Directors, §§ 12 to 21.
Power to make Railway, §§ 22 to 25.

Lands to be purchased by Compulsion within Three Years, § 26.
Five Years for Completion of Railway, §§ 27, 43.
As to Communications with the Ulster and Belfast and Northern Counties Junction Railways, §§ 28 to 31.
Tolls, §§ 32 to 41.

42. And whereas the Railway of the Belfast Company as sanctioned by Parliament affords a Communication between Belfast and Antrim: And whereas the Railway by this Act authorized will, in connexion with the Ulster Railway, form a Second Line of Communication between the Places aforesaid, and it is just and expedient that the same should not be used for the Purposes of undue Competition with the Belfast Company in respect of Traffic between those Places: Therefore, if the Belfast Company shall from Time to Time in the Months of January and July in any Year (and whether uninterruptedly or not) furnish to the Company a List of the Tolls, Rates, and Charges which they propose to demand in respect of all Descriptions of Traffic passing on their Railway between Belfast and Antrim, and between Antrim and Belfast, for the Term of Six Months next ensuing the Date of the Delivery of such List, it shall not be lawful for the Company to charge, nor by any Agreement to be entered into by virtue of this Act, shall it be lawful for any other Company or Party to charge, during that Term of Six Months any lower Rates, Tolls, or Charges in respect of any Description of Traffic passing from Antrim, or from any Point nearer to Antrim than the Road numbered on the Plans deposited as aforesaid 45 in the Townland of Balloo, and destined for Belfast, by the Ulster Railway, or passing over the Railway of the Company to Antrim, or to any Place nearer to Antrim than the Road numbered as aforesaid 45 in the Townland of Balloo, having come by the Ulster Railway from Belfast, than the Rates, Tolls, and Charges specified in such List in respect of the same Description of Traffic, unless the Belfast Company shall themselves take in respect of such Traffic Rates, Tolls, or Charges lower than those specified in such List: Provided always, that if the Company for the Time being working the Traffic on the Railway shall object to the Rates, Tolls, and Charges, or any of them specified in any such List as aforesaid from Time to Time delivered by the Belfast Company, and shall state their Objections to the Board of Trade, it shall be lawful for the Board of Trade to inquire into such Objections, and if after such Inquiry the Board shall be of opinion that such Objections are reasonable and well founded, the Board may fix the Rates, Tolls, and Charges to be taken in respect of such Traffic as aforesaid, both by the Belfast Company and by the Company for the Time being working the Traffic on the Railway, in such Manner as to the said Board shall seem proper and just to all Parties; and the Rates, Tolls, and Charges so fixed by the Board of Trade shall be the Rates, Tolls, and Charges demanded and taken by each of the said Companies in respect of such Traffic as aforesaid for and during such Period as may be prescribed by the Board of Trade.

Power for the Ulster Company and Belfast Company to subscribe 10,000*l.* each by ordinary Shares, and to appoint Directors, §§ 44 to 56.

Purposes for which the Agreements may be made, Restrictions and Conditions thereof, §§ 57 to 64.

Power to use any Station of the Ulster Company at Knockmore, and also the Antrim Station of the Belfast Company, § 65.

No Station to be erected by the Company nearer to Antrim than a certain Road, § 66.

Cap. cxxiii.

"The London and North-western (Chester and Holyhead) Railway Act, 1861."

Recites that by their Act of 1848, the Chester and Holyhead Railway Company were empowered to become the Owners of Steamboats, or to contract with or to subscribe towards the Funds of any Company or Persons having Steamboats, and thereupon to convey Passengers, Cattle, and Goods of every Description, or to agree with any other Company or Person for the Conveyance of Passengers, Cattle, and Goods between the Harbours of Holyhead and Dublin, subject to the Conditions in that Act contained; that by the same Act the London and North-western Railway Company were authorized to subscribe to the Extent of 120,000*l.* towards the Capital required for the Purchase of such Steamboats; that by the same Act it was further enacted that the Powers thereby granted to purchase, hire, and use Steamboats should continue for the Term of 14 Years from the 1st Day of January 1849, and it is expedient that such Powers should be extended for a further Period; that the entire Undertaking of the Chester and Holyhead Railway Company, with their Powers, Privileges, and Authorities has, under Parliamentary Sanction, become vested in the Company; and it is expedient that the Company should be empowered to acquire for Purposes connected with their Chester and Holyhead Railway additional Lands and Houses in the Parish of Holyhead, and other Parishes in the County of Anglesea, also Lands in certain Townships in the County of Carnarvon, and also Land and Buildings in the Parish of Saint Thomas in the County of Dublin.

Incorporation of General Acts, §§ 2, 3.

Power to take Lands, § 4.

Saving Rights of Corporation for preserving and improving the Port of Dublin, § 5.

Three Years for compulsory Purchase of Lands, § 6.

Renewing the Powers granted by the 11 & 12 Vict. c. lx., in reference to Steamboats, for Nine Years more from 31 Dec. 1862, § 7.

Passengers Luggage, § 8.

Extending Provisions of "The Railway and Canal Traffic Act, 1854," § 9.

Power for Company to apply Corporate Funds to the Purposes of this Act, § 10.

Cap. cxxiv.

"The Penarth Harbour, Dock, and Railway Act, 1861."

Preamble recites Incorporation of Company by "The Ely Tidal Harbour and Railway Act, 1856," by the Name of "The Ely Tidal Harbour and Railway Company," with Power to make the Railway and execute the other Works in that Act mentioned, and with Power to raise by Shares the Sum of 130,000*l.*, and by borrowing the Sum of 43,000*l.*; that by "The Penarth Harbour, Dock, and Railway Act, 1857," the Name of "The Ely Tidal Harbour and Railway Company" was changed to "The Penarth Harbour, Dock, and Railway Company," and Powers were granted to the Company for making the Railways, Dock, and other Works in that Act mentioned, and for raising a further Sum of 192,000*l.* by Shares, and a further Sum of 64,000*l.* by borrowing; that Parts of the Railways by the said Acts authorized have been opened for Traffic, and the Harbour by the first-recited Act authorized has also been in part completed, and Vessels now resort thereto; that the Company require a further Sum of Money to complete their Undertakings; that it would be advantageous to the Company and beneficial to the Public frequenting their Harbour and Dock, if a more convenient Means of Communication between the said Harbour and the Town of Cardiff and the Docks there were provided, and if for such Purpose the Company were empowered to construct a Road between those Places, and to carry the same by Bridges over the River Taff and the Glamorganshire Canal, and to provide along the said Road and to work and use an Electric or other Telegraph, and if the Company were empowered to provide, hire, or otherwise employ Steamers in connexion with their Harbour and Dock.

Extending Lands Clauses Acts, §§ 2, 3.

Power to take Lands, § 4.

Power to make new Road, §§ 5, 6.

As to Bridge over Taff, §§ 7 to 12.

For Protection of Glamorganshire Canal Company, §§ 13 to 15.

Three Years for compulsory Purchase of Land, § 16.

Eight Years for Completion of Roads and Bridges, § 17.

Tolls for Road and Bridge over River Taff, and Penalties, §§ 18 to 28.

Restrictions as to Use of Road and Bridge, § 29.

Power to provide Telegraphs, § 32.

Power to provide Steam Vessels, § 33.

Power to create new Capital of 300,000*l.* by new Shares, with or without a Preference not exceeding 5*l.* 10*s.* per Cent., §§ 34 to 43.

Power to borrow 100,000*l.*, §§ 44, 45.

Cap. cxxv.

" The Thames Haven Dock (Abandonment) Act, 1861."

Making of Thames Haven Dock to be abandoned, § 2.
Act not to prejudice Right of Lessee, &c. of Lands to Compensation for Entry thereon, § 3.
Company to sell Lands, &c. and pay their Debts, § 4.
Surplus to be divided among Shareholders, § 5.
Receipts for such Surplus, § 6.
Payment into Court by Company where Shareholder not known or Money not claimed, § 7.
Dissolution of Company, § 8.
Restriction on Interference with Bed of River Thames, § 9.
Saving Rights of Conservators of River Thames, § 10.

Cap. cxxvi.

" The Westminster Improvement and Incumbered Estate Act, 1861."

Recites the several Acts relating to the Westminster Improvement Commissioners; that they have under the Powers of the said Acts, or some or One of them, borrowed large Sums of Money on Mortgage or Bond, and Judgments have been recovered against them; that the Mortgages granted by the Commissioners, or some of them, comprise the Interests purchased and conveyed, and contain Covenants by the Commissioners for the Purchase by them, and the Conveyance to the Mortgagees respectively of the Interests outstanding; that the Bond Debts of the Commissioners, except a small Amount raised by virtue of the prior Improvement Acts, are secured by Bonds granted by the Commissioners under their Act of 1853, or in pursuance of an Indenture of Settlement of the 26th Day of May 1852, therein referred to, and which Bonds are or were entitled to the Benefit of an Indenture of Mortgage, also dated the 26th Day of May 1852, referred to in that Act, and of a Deed of Covenant also dated 26th May 1852, and of an Indenture of Assignment, dated the 18th Day of April 1855; that the Improvement Acts contain Provisions authorizing the said Commissioners to grant Building Leases of, and to sell and dispose of the Lands acquired by them for the Purposes of the same Acts, and not required for the Purpose of being made into Thoroughfares; that the Trustees for the Bondholders under the aforesaid Indenture of the 26th Day of May 1852, some Time since, by a Deed dated the 26th Day of December 1857, assumed to re-convey and re-assign to the Westminster Improvement Commissioners the whole of the Estates, Property, and Interests vested in them under the said Indentures respectively; that it is expedient that the Constitution of the said Commission should be altered, and that the Lands and Property of the Commissioners acquired or to be acquired under the Powers of the said Acts or this Act should be sold, and that their net Assets should be realized

and distributed as Occasion may arise among the Creditors in a due Course of Administration, and that for such Purposes the Commissioners so newly constituted should have and exercise certain Powers and Discretions; that it is desirable that, subject to the Provisions of this Act, the said Commissioners so newly constituted should be authorized to take the Lands mentioned in Schedule A. to the Act; that it would promote the Sale, Exchange, and Leasing upon advantageous Terms of the Lands acquired under the Powers of the Acts, and of all Lands vested in the said Commissioners or Trustees under the said Deeds of Settlement and Mortgage of the 26th Day of May 1852, and of the said Assignment of the 18th Day of April 1855, or in any Trustees for the Commissioners or for the Bondholders and the general Creditors of the said Commissioners, and thereby aid and assist the said Commissioners in the Completion of their Undertaking, and in the Payment and Discharge of the said Mortgage and Bond and other Debts, and it would also conduce to the Execution of the Improvements in the said City of Westminster, and be for the Public Advantage and Benefit, if the said Commissioners so newly constituted were authorized to exercise the Powers and generally to act in the Manner by this Act provided.

Incorporation of Lands Clauses Act, Companies Clauses Act, and the Lands Clauses Consolidation Acts Amendment Act, 1860, § 2.

Interpretation of Terms.

3. In this Act the following Expressions shall have the several Meanings assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

The Word "Lands" shall extend to Messuages, Lands, Tenements, and Hereditaments of any Tenure, and also to any Estate, Right, Title, Interest, Charge, Lien, Easement, or Incumbrance in, upon, or affecting Lands, either at Law or in Equity:

The Word "Conveyance" shall extend to the Disposition of Lands, or of any Interest therein, and of Money, or Security for Money, or of Money coming from Rates, or of any Interest thereon:

The Word "Money" shall extend to any Money, or Money coming from Rates, or to any Bonds or other Securities for Money vested in the Commissioners, or their Trustees, or the Trustees for the Bondholders and general Creditors of the Commissioners, or to any Lien, Charge, or Incumbrance in, upon, or affecting Money, or Money coming from Rates, or to any Bonds or other Securities for Money, either at Law or in Equity:

The Word "Person" shall include Corporation, whether aggregate or sole, and Trustees for Charities:

The Word "Mortgagee" shall mean any Person holding a Mortgage, save the Trustees of the Deeds of Settlement and Mortgage of the 26th Day of May 1852, and save also any Trustees for the Commissioners or for the Bondholders and the general Creditors of the Commissioners; but

but shall not mean a Person holding a Bond, whether entitled to the Benefit of the said Indenture of Mortgage of the 26th Day of May 1852, or granted prior to the Date of such Indenture, and shall not mean a Person holding a Preference Debenture granted under this Act, unless the Person holding such Bond or Preference Debenture shall also hold a Mortgage, and then only in respect of such Mortgage:

The Word "Incumbrances" shall mean any legal or equitable Mortgage in Fee or for any less Estate, and whether made by or to the Commissioners, or their Trustees, and also any Monies secured by a Trust, or by Judgment, Decree, or Order of any Court of Law or Equity duly registered, and also any Lis pendens, Lien, Trust, or other Charge whatsoever:

The Expression "the Bondholders" shall mean all registered Holders of Bonds issued by the said Commissioners prior to the 26th Day of May 1852, and all registered Holders of Bonds issued in pursuance of the said Indenture of Settlement, or entitled to the Benefit of the said Indenture of Mortgage and Assignment herein-before referred to, but shall not mean a Person holding a Mortgage in addition to such Bond as Security for the same Sum:

The Expression "the Commissioners" shall mean the Commissioners for the Time being acting in pursuance of this Act:

The Expression "the Improvement Acts" shall mean the "Westminster Improvement Act, 1845," the "Westminster Improvement Act, 1847," the "Westminster Improvement Act, 1850," the "Westminster Improvement Act, 1853," and the "Westminster Improvement Act, 1855:"

The Word "Sheriff," in the "Lands Clauses Consolidation Act, 1845," shall, with respect to this Act and the said Improvement Acts, mean the High Bailiff of Westminster in all Cases where the High Bailiff discharges the Duties and Offices usually discharged by the Sheriff.

Powers of this Act not to come into operation until Election of new Commissioners as herein-after provided, § 4.

Commissioners to be Six in Number.

5. The Commissioners acting under the Authority of this Act shall always be Six in Number, of whom Two shall be elected by the Bondholders, Two by the Mortgagees, One shall be nominated by the existing Commissioners, and One shall be nominated by the Chief Commissioner of Her Majesty's Works and Public Buildings as herein-after provided; and all the Lands, Monies, Rights, Titles, and Interests vested in or belonging to the existing Commissioners, or the Trustees, under all or any of the Deeds dated 26th Day of May 1852, or the said Indenture of Assignment dated the 18th Day of April 1855, or the Trustees for the Commissioners, their Mortgagees or Bondholders, and all Powers, Authorities, and Discretions vested in or belonging to the existing

existing Commissioners, or such Trustees as aforesaid, shall immediately upon the Election and Nomination of the Commissioners under the Authority of this Act, and without any Conveyance or other Disposition whatsoever, be vested in and belong to the Commissioners and their Successors as a Body Corporate, with perpetual Succession, who shall be subject in all respects to all Liabilities affecting the existing Commissioners at the Time of such Election and Nomination.

Meeting of Bondholders to be convened by existing Commissioners for Election of Two new Commissioners, § 6.

Meeting of Mortgagees to be convened by existing Commissioners for Election of Two new Commissioners, § 7.

Bondholders elect Two Commissioners, Mortgagees Two; One of the existing Commissioners to remain if willing, and One to be appointed by the Chief Commissioner of Works, &c.

8. The Bondholders convened at such Meeting as aforesaid shall in the Manner herein-after provided elect Two Bondholders, who shall be Commissioners; and the Mortgagees convened at such Meeting as aforesaid shall in the Manner herein-after provided elect Two Persons, whether Mortgagees or not, who shall be Commissioners; and the existing Commissioners shall, on or before the Fifth Day of November next after the passing of this Act, nominate One of their Number, and who shall, when so nominated, continue to act as a Commissioner with the Commissioners so appointed by the Bondholders and Mortgagees as aforesaid; and the Chief Commissioner of Her Majesty's Works and Public Buildings for the Time being shall, by Writing under his Hand, within Six Months after the passing of this Act, nominate some fit and proper Person to be a Commissioner, and who shall be the Chairman of the said Commissioners, and have the Casting Vote at all Meetings.

Extension and Application of 8 & 9 Vict. c. 16. for Purpose of regulating Meetings of Bondholders and Mortgagees, and Appointment of Commissioners.

9. The Bondholders and Mortgagees convened at such Meetings as aforesaid shall vote for the Election of their respective Commissioners in the Manner provided by the Companies Clauses Consolidation Act, 1845, with reference to the voting of Shareholders in Joint Stock Companies; and for the Purpose of applying these Provisions of the said Act, but not further or in any Manner otherwise, the Registers of Bondholders and Mortgagees shall be sealed by the Commissioners One Month before any Election, and the same when so sealed shall be Evidence of the Persons entitled to vote at such Election as Bondholders and Mortgagees. The Bondholders and Mortgagees shall be deemed to be Shareholders within the Meaning of such Provisions; the Commissioners elected by the Bondholders and Mortgagees shall be deemed to be the Directors; this Act shall be deemed to be the Special Act; the Clerk of the Commissioners shall be deemed to be the Secretary; the Chairman of the Commissioners shall be deemed to be the Chairman; and every Principal Sum of 250*l.* secured to the Bondholders by their respective Bonds or to the Mortgagees by their Mortgage Deeds shall be deemed to be a Share within the Meaning of the said Act.

Remedy for improper Entry or Omission of Entry in Register, § 10.

Mode of supplying Vacancies in Bondholders

11. If any Commissioner or Commissioners elected by the Bondholders or Mortgagees respectively die or resign, be disqualified,

and Mortgagees Commissioners.

disqualified, or cease to be a Commissioner, it shall be lawful for the Bondholders and Mortgagees respectively, at a Meeting or Meetings to be convened as herein-before provided, to elect in the Manner herein-before provided another Commissioner or Commissioners in his or their Place, and every Commissioner so elected shall have the same Powers and Authorities as his Predecessor: Provided always, that the Election of the Bondholders Commissioners shall always be made by the Bondholders only, and the Mortgagees Commissioners by the Mortgagees only; and Persons holding both a Mortgage and a Bond, if the Bond is not a Security for the same Sum as is secured by the Mortgage, may vote in all Elections; and if the Bond be a Security for the same Sum as is secured by the Mortgage they shall vote as Mortgagees, and not as Bondholders: Provided always, that no Person elected as a Commissioner shall act until he shall have made and subscribed the Declaration prescribed by the "Westminster Improvement Act, 1845," and that no Person who is Plaintiff in any Suit against the existing or future Commissioners shall be qualified to be a Commissioner.

Mode of supplying Vacancies in Commission.

12. If the Commissioner nominated by the existing Commissioners shall die or resign, be disqualified, or cease to be a Commissioner, it shall be lawful for the remaining Commissioners acting under the Powers of this Act to elect another Commissioner in his Place, and every Commissioner so elected shall have the same Powers and Authorities as his Predecessor.

Chief Commissioner of Works to supply certain Vacancies.

13. And if the Commissioner nominated by the Chief Commissioner of Her Majesty's Works and Public Buildings shall die or resign, or cease to act as a Commissioner, it shall be lawful for the Chief Commissioner of Her Majesty's Works and Public Buildings for the Time being to nominate another fit and proper Person as Commissioner in his Place, and such Commissioner when so nominated shall have the same Powers and Authorities as his Predecessor.

Commissioners empowered to take Lands mentioned in Schedule A.

14. Subject to the Provisions and Restrictions in the said Improvement Acts and this Act contained, it shall be lawful for the said Commissioners to enter upon, take, and use the Lands mentioned in Schedule A. to this Act annexed for the Purposes mentioned in this Act and the said Westminster Improvement Acts: Provided always, that no Notice to treat and agree to take any of the Lands mentioned in the Schedule to this Act shall be given, unless and until the said Commissioners shall have deposited in the Bank of England by way of Security for the Benefit of the Parties interested in such Lands such Sum of Money as a Surveyor appointed by Two Justices shall determine to be the Value of such Lands, and upon such Deposit by way of Security being made as aforesaid, it shall be lawful for the said Commissioners to give Notice of their Intention to enter upon and take and use all or any of the said Lands.

Provision as to Bryan's Factory in Dacre Street, § 15.

Provisions as to taking Lands of the Governors of the Grey Coat and St. Margaret's Hospitals, and as to the Arrangements for carrying out the Deviation of Orchard Street and New Pye Street, § 16.

Power to borrow Money to carry out Exchanges, § 17.
Provision for taking other Lands of the Grey Coat Hospital, and also Lands of Saint Margaret's Hospital, § 18.

19. No Notice to treat and agree in respect of Lands in the said Schedule A. shall be effectual against the Vendor after the Lapse of Six Calendar Months from the Service of such Notice, unless the Purchase or Compensation Money shall have been paid, or such Notice shall be extended by Consent or by Order of the Court of Chancery.

No Notice to treat in respect of Lands in Schedule A. unless Purchase Money paid.

Compulsory Purchase limited to Three Years, § 20.
Power for the Commissioners to divert, stop up, and inclose Highways, § 21.

22. Provided always, That before any such Streets or void Ground shall be diverted, stopped up, inclosed, or altered by the Commissioners under the Powers of this Act, Notice shall be given and published, and such other Proceedings taken, and the same shall be with and subject to such Right of Appeal, and in all other respects as if the Provisions of Section 95 of "The Westminster Improvement Act, 1845," (as amended by Section 17 of "The Westminster Improvement Act, 1850"), and of Sections 96 and 97 of "The Westminster Improvement Act, 1845," had been inserted and re-enacted in and by this Act, but so nevertheless, that such Appeal as aforesaid, in lieu of being made to the Court of General Quarter Sessions for the City and Liberty of Westminster, shall be made to the Court of General Quarter Sessions for the County of Middlesex.

Certain Provisions of former Acts to apply to Highways stopped up, &c. under this Act.

Commissioners to give Notice to the Clerk or Surveyor to the Board of Works for the Westminster District, § 23.
Powers of recited Acts to extend to this Act, § 24.

25. Provided always, That this Act, or anything herein contained, shall not affect or prejudice the Security given by the Commissioners by an Indenture of Mortgage, dated the 25th Day of June 1851, and Bond of even Date therein referred to, for the Repayment by the Commissioners, with Interest as therein mentioned, of a Sum of 30,000*l.* advanced to them by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, pursuant to a Power contained in the Act of the 13th & 14th of Victoria, c. 103, and which, under or by virtue of the "Metropolitan Improvements (Repayment out of Consolidated Fund) Act, 1853," is now vested in the Commissioners of Her Majesty's Works and Public Buildings.

This Act not to affect the Security for the Sum of 30,000*l.* vested in the Commissioners of Her Majesty's Works.

26. Provided always, That this Act shall not prejudice or affect the Articles of Agreement, dated the 3d Day of June 1852, with the Justices of Middlesex, in the "Westminster Improvement Act, 1853," referred to, and thereby confirmed.

Act not to affect Articles of Agreement with Justices of Middlesex.

27. It shall be lawful for the said Commissioners (for the Purpose of raising a Fund to meet and defray the Costs, Charges, and Expenses of obtaining and passing this Act, and the Costs, Expenses, and Outlay incurred in managing and realizing the Land and Money of the Commissioners, and winding up their Affairs and which said Fund shall be free from

Power to borrow Money on Debenture.

from Attachment by Process of Common Law), to take up and borrow at Interest any Sum or Sums of Money, not exceeding the Sum of 10,000*l.*, and to secure such Monies and Interest thereon, after a Rate not exceeding 7 per Centum per Annum, by Debentures to be issued for that Purpose under the Common Seal of the said Commissioners, in the Form set forth in Schedule B. to this Act annexed, or as near thereto as convenient; and such Debentures shall be paid by the Commissioners out of the surplus Monies to arise from the Sale of Lands and Money belonging to them or to be acquired by them under or by virtue of the Acts herein referred to or of this Act, after satisfying all Mortgages thereon other than the said Mortgage of the 26th Day of May 1852, and shall be a First Charge on such surplus Monies in the Hands of the Commissioners, and upon all Lands and Money belonging to or to be acquired by the Commissioners remaining unsold, after satisfying all Mortgages thereon other than the said Mortgage of the 26th Day of May 1852, and the Amounts secured by such Debentures shall be paid out of such surplus Money as aforesaid, pari passu, at One Time not exceeding Five Years from the passing of this Act, and in priority to the said Mortgage of the 26th Day of May 1852, and the said Assignment of the 18th Day of April 1855, and all Claims thereunder, and all Bond, Judgment, or Simple Contract Debts.

Debentures to be signed by Three Commissioners, and to be registered.

28. Every such Debenture as aforesaid shall be signed by at least Three of the Commissioners, as well as sealed with their Common Seal, and all such Debentures shall be numbered consecutively, and a Book shall be kept by the said Commissioners, which shall be called "The Register of Preference Debentures," and which shall be open to all Persons interested at every reasonable Time for Inspection on the Payment of 2*s.* for every Inspection thereof; and any such Person shall be at liberty to require the Commissioners to furnish them with Extracts of or Copies from such Book, upon the Payment of a Sum of 2*s.* for every Entry or Page extracted or copied thereout; and such Extracts or Copies shall be rendered accordingly to every such Person demanding the same, who shall be at liberty to examine the same with the said Book, without any additional Charge; and in the said Book shall be entered such Particulars of every Debenture to be issued under the Authority of this Act as herein-after mentioned; (that is to say,) the Number and Date thereof, the Amount secured thereby, the Rate of Interest at which, and the Period for which such Amount has been advanced, and the Name and Address of the Person advancing the same, and all Particulars as to the Date of, Consideration for, and the Name and Address of the Assignee under every Transfer or Assignment of any such Debenture which may be submitted to the said Commissioners for Registry of such Particulars.

Inspection of Register.

New Commissioners to wind up the Commission.

29. The said Commissioners shall forthwith, after their new Constitution, proceed to realize, collect, get in, compound for, convert, and wind up with all convenient Speed, all their Lands, Money, Debts, Assets, and Affairs, and for the Purpose of more effectually

effectually and advantageously doing so, it shall be lawful for them to enter into any Contract with the Owners of any adjoining Lands, for the Purchase or Renting of any such adjoining Lands for the Purpose of selling, offering, letting, or disposing thereof with the Lands of the Commissioners, and generally for the Purposes authorized by the Improvement Acts and this Act to apply and expend any Monies received by or belonging to them. Three of the Commissioners shall form a Quorum, and shall be able to exercise all or any of the Powers vested in them by any of the Acts herein referred to or by this Act.

Lands conveyed, exchanged or leased by Commissioners to be discharged from Incumbrances; and Provisions as to Sales.

30. In order that the Commissioners may be enabled to manage and dispose of to the best Advantage the Lands, Hereditaments, and Property belonging to them, or to be acquired by them under or by virtue of any of the Acts herein referred to or this Act, they shall have the following Powers:

The Commissioners are hereby authorized to lease or confirm any Lease or Agreement for a Lease already made of all or any Part of the said Lands and Hereditaments for any Term or Terms of Years, at such Rent, and to apportion the Rent reserved by any such Lease or Agreement for a Lease, upon such Conditions, and in such Manner in all respects as they in their absolute Discretion shall think fit, without the Consent or Concurrence of any Mortgagee, Incumbrancer, Bondholder, or other Person whomsoever:

The Commissioners are hereby authorized to sell and dispose of, without the Privity or Concurrence of any Mortgagee, Incumbrancer, Bondholder, or other Person whomsoever, for such Price, upon such Conditions, and in such Manner in all respects as they shall think fit, all or any of the Lands, Hereditaments, and other Property belonging to or to be acquired by them, and to convey the same, without the Concurrence of any Mortgagee, Incumbrancer, Bondholder, or other Person whomsoever, to the Purchaser or Purchasers thereof, or as he, she, or they shall direct, freed and discharged from all Mortgages, Charges, and Incumbrances affecting the same, but subject to any Lease granted or confirmed under the preceding Power:

Previously to the Sale of any Land the Commissioners shall give Notice in Writing to all the Mortgagees whose Mortgages shall affect such Land, or any Part of it, of their Intention to sell such Land and of the Time and Place at which and the Conditions under which such Sale is to be made: Such Notice shall be sent by Post addressed to the Mortgagees according to their Addresses in the Register of Mortgages of the Commissioners. No Purchaser shall be obliged to inquire whether any such Notice as aforesaid has been given, and every Sale made by the Commissioners shall be valid and binding to all Intents and Purposes although no such Notice shall have been given:

It shall be lawful for any Mortgagee of any Land sold by the Commissioners, or of any Part thereof, to bid at

any Public Sale, and to become the Purchaser at any Public Sale in like Manner as any Person not interested therein might bid and become the Purchaser:

The Commissioners are hereby authorized, without the Privity or Concurrence of any Mortgagee, Incumbrancer, Bondholder, or other Person whomsoever, to exchange any Land either for other Land, or partly for Land and partly for Money, upon such Terms and in such Manner as they shall think fit, and upon any such Exchange to convey, without the Concurrence of any Mortgagee, Incumbrancer, Bondholder, or other Person whomsoever, the Land so to be exchanged by them to the Person or Persons with whom the Exchange is made, or to such Uses as he, she, or they shall direct, freed and discharged from all Mortgages, Charges, and Incumbrances affecting the same, but subject to any Lease granted or confirmed under the Power given to the Commissioners by this Act. Any Land taken by the Commissioners in exchange as aforesaid shall be subjected to the Mortgages, Charges, and Incumbrances (if any) affecting the Land given by the Commissioners in exchange, and in the same Priority; and any Money received by the Commissioners on any such Exchange shall be considered as Money arising from the Sale of Land under the Provisions of this Act, and be paid to the Credit of the Commissioners at the Bank of England, and be dealt with by them under the Provisions of this Act:

The Commissioners shall keep a Book containing an Account of all Leases, Sales, and Exchanges made by them, and such Book shall show distinctly with reference to every Lease, Sale, or Exchange the following Particulars, viz., the Land leased, sold, or exchanged, the Date of such Lease, Sale, or Exchange, the Person or Persons to whom, and the Rent, Term of Years, Price of Land at or for which it has been leased, sold, or exchanged, and the Date of Payment of the Purchase Money; such Book shall be open to the Inspection of all the Mortgagees and Bondholders or their Agents at all reasonable Times.

Monies arising from the Sale, Lease, or Exchange of Lands to be paid into the Bank of England.

31. All Monies arising from the Sale or Exchange, and all Fines and Premiums on Leases or Alienations of Lands belonging to or acquired by the Commissioners, shall be paid into the Bank of England in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Credit to an Account there, to be intituled "In the Matter of the Westminster Improvement and Incumbered Estate Act, 1861," and in the Matter of "The Purchase Monies arising from Land sold to, leased to, or exchanged with, as the Case may be;" and the Money so paid in shall be subject to all the Rights, Equities, Rates, and Charges to which the Land from the Sale, Exchange, Lease, or Alienation of which it has arisen was subject.

No Receipt of the Commissioners to discharge the

32. No Receipt of the Commissioners, or of any of them shall discharge the Purchaser or other Person paying such Money as aforesaid, or the Lands sold, exchanged, leased, or alienated

alienated therefrom, unless such Money be so paid as herein-before is directed. Upon the Money being paid into the Bank of England as herein-before directed, no Person paying the same shall be liable to see to the Application of it, or be responsible for the Misapplication or Nonapplication of it.

Purchaser or the Lands sold unless Purchase Money be so paid.

33. The Court from Time to Time may make and give any Orders and Directions with respect to the Payment of the Monies from Time to Time to be paid into the Bank of England as aforesaid out of Court, or for other the Purposes of this Act, either upon Petition presented in a summary Way, or by Motion or Summons, and on Notice to such Persons, if any, and together with such Costs as the Court shall direct, and the Commissioners shall represent all Bondholders and Incumbrancers, other than Mortgagees, upon every such Petition, Motion, or Summons unless the Court shall otherwise direct.

Proceedings by Petition, Motion, or Summons.

34. Unless within Two Months after Payment into the Bank of England of any Money the Court shall otherwise direct, such Money shall, without Order for this Purpose, be invested by the Accountant General in the Purchase in his Name of Three Pounds per Centum Consolidated Bank Annuities, and the Dividends and annual Proceeds thereof shall, with the said Bank Annuities, attend the Orders of the said Court.

Investment of Money.

35. Nothing in this Act contained shall give any Force or Validity to the Mortgage of the 26th Day of May 1852, the Assignment of the 18th Day of April 1855, or the Reconveyance of the 26th Day of December 1857, other than such Mortgage, Assignment, and Reconveyance respectively would have had if this Act had not been passed, nor shall this Act in anywise affect as between themselves the Priorities of any Mortgagees, Incumbrancers, Bondholders, or Creditors of the Commissioners: Provided also, that this Act shall not prejudice or affect any Preference or Priority in Payment (if any) which any Person holding a Bond of the Commissioners, granted before the Date of the Mortgage and Deed of Settlement dated respectively the 26th Day of May 1852, and not having assented thereto, would be entitled to if the Mortgage and Deed of Settlement had not been executed, or the "Westminster Improvement Act, 1853," confirming the same, or this Act, were not passed.

Saving of Right of Priority.

Act not to extend to certain Leaseholds, § 36.

37. Whereas the Commissioners have entered on Land belonging to the Dean and Chapter of Westminster adjoining to the Eastern Side of the Churchyard of Christchurch, Westminster, and the Commissioners have pulled down the Buildings heretofore standing on the Land, and have formed a Roadway or Street over the Site thereof leading from and out of Great Chapel Street into Victoria Street, and the Road has for some Time been open to the Public, and the Commissioners have stopped up the old Road or Way which heretofore formed the Eastern Boundary of the Land: Therefore the Commissioners shall not sell or dispose of the Site of the old Road or Way until they pay to the Dean and Chapter 2,114*l.* and

The Commissioners not to sell Land near the Eastern Side of the Churchyard of Christchurch until Payment of Purchase Money and Interest to the Dean and Chapter's Lessees.

Interest, and all Expenses incidental to the Completion of the Sale of the Land, and until they shall have paid the said Dean and Chapter's Lessees their Purchase Money, Interest, and Costs, except that, if required so to do by the Dean and Chapter, the Commissioners shall sell and convey to the Dean and Chapter, free from all Incumbrances whatsoever, the Site of the old Road or Way at a Valuation to be made thereof in manner provided by the Westminster Improvement Acts, or some of them, in respect of Land taken by the Commissioners from the Dean and Chapter under those Acts, and the Amount of the Valuation shall be deducted from the 2,114*l.*, or so much thereof as is then unpaid, and thereupon and at any Time thereafter the Dean and Chapter may re-sell and convey the same on such Terms and Stipulations and in such Manner as they think fit; and they may take and hold the Land so conveyed to them and deal with the same as Part of their Corporate Property, and the Costs, Charges, and Expenses of the Dean and Chapter of and incident to such Purchase shall be paid by the Commissioners.

Until Payment of Purchase Monies now due to Dean and Chapter of Westminster their Lands not to be dealt with, except by Consent.

38. And whereas the Lands mentioned or referred to in Schedule C. to this Act annexed belonged to the Dean and Chapter of Westminster, and were in or about the Years 1848, 1851, and 1852 contracted to be purchased by the Commissioners in pursuance of and acting under the said Acts, or some of them, for several Sums amounting together to 8,224*l.*, and the said Commissioners took possession of the said Lands without previous Payment of the Purchase Money thereof: And whereas the Commissioners have paid Interest upon such Purchase Monies up to the Year 1854: And whereas the said Principal Sum of 8,224*l.*, together with Interest thereon from the said Year 1854, is now due to the said Dean and Chapter in respect of such Purchase Money: Therefore it is hereby enacted that the said Commissioners shall not be at liberty to sell, exchange, or lease all or any Part of the Lands comprised or referred to in the said Schedule C. to this Act belonging to the Dean and Chapter of Westminster without the previous Consent in Writing of the said Dean and Chapter under their Corporate Seal first had and obtained, unless they shall have previously paid all Purchase Money, Interest, Costs, Charges, and Expenses due or payable to the said Dean and Chapter of Westminster in respect of the particular Lands intended to be dealt with.

Certain Provisions of former Acts as to Purchases from the Dean and Chapter of Westminster to apply to Purchases under this Act.

39. That the Provisions of Sections 57 and 77 of "The Westminster Improvement Act, 1845," and of Section 56 of "The Westminster Improvement Act, 1850," and of Section 16 of "The Westminster Improvement Act, 1853," shall extend and apply to Lands purchased of the Dean and Chapter of Westminster under or by virtue of this Act, and to Monies payable by the Commissioners to the said Dean and Chapter on the Sale of any Lands or by way of Compensation or otherwise in respect of such Lands, in the same Manner in every respect as if such Provisions had been incorporated in this Act, and the Commissioners shall not sell or dispose of the Site of Whicher's and Kifford's Alms Houses and Gardens acquired

acquired by them under Section 70 of "The Westminster Improvement Act, 1853," until Payment or Satisfaction by them of the Costs and Expenses mentioned in the 73d Section of the same Act.

As to Deviation of Road provided for by the Westminster Palace Hotel Company's Act, 1858, § 40.

Saving Rights of the Parishes of St. Margaret and St. John the Evangelist, Westminster, § 41.

Provision for Deficiencies of Sewers and other Rates.

42. And whereas by reason of the Works of the Commissioners hereby authorized there may be Deficiencies in the Produce of the Sewers Rates, the Lighting Rates, the General Rates, and the Main Drainage Rates within the said Parishes: Be it therefore enacted, That after the Occupier or Occupiers of any of the Houses and Buildings in the said Parishes respectively mentioned in Schedule A. to be taken down for the Purposes of this Act shall have quitted the Possession thereof, in pursuance of any Notices or Notice given by the said Commissioners, and until the whole of the said Houses and Buildings intended to be built upon the Ground so to be taken by the said Commissioners shall be completed and occupied, the Commissioners shall pay and make good all such Sum and Sums of Money as shall from Time to Time be deficient in respect of the Produce of the Assessments for the said several Rates within such Parishes, or either of them, by reason or means of the Alterations arising from the Want of Occupiers in or taking down the said several Houses and Buildings respectively, to be computed according to the Produce of such several Rates and Assessments, or as near as the Nature of the Case will admit, in the said Parish, from the 25th Day of March 1862, and the same shall be accordingly paid to the several Collectors of the said Rates.

Provision for Deficiency of Poor Rate.

43. And for the Purpose of providing against any Deficiencies in the Poor Rate within the said Parishes which may be occasioned by the carrying out of the Improvements, be it enacted, That the Commissioners shall from Time to Time be liable to make good the Deficiency in the Poor Rate arising within such Parishes by reason of any such Property mentioned in Schedule A. having been taken or used for the Purposes of this Act, and the said Commissioners shall on Demand pay to the Treasurer of the said Parishes for the Time being, or such other Person as the Vestries of the said Parishes shall appoint to collect or receive the said Rate, all such Deficiency.

Provision for Deficiency in Land Tax.

44. That for the Purpose of providing against Deficiencies in the Assessments for Land Tax occasioned by the Works of the Commissioners authorized by this Act, be it enacted, That if the Commissioners become possessed by virtue of this Act of any Premises mentioned in Schedule A. charged with the Land Tax, the Commissioners shall from Time to Time, until the said Works shall be completed and assessed to such Land Tax, be liable to make good the Deficiency arising within the Parishes of Saint Margaret and Saint John by reason of the Land having been taken or used for the Purposes of the

Works, and such Deficiency shall be computed according to the Rental at which such Lands, with any Buildings thereon, were valued or rated at the Time of the passing of this Act; and the Commissioners shall pay all Deficiencies, on Demand thereof, to the Collector of the said Assessments.

For Protection of Sewers of Metropolitan and other Boards, § 45.

Property of Emanuel Hospital not to be prejudicially affected by this Act, § 46.

Provisions as to Suits in Chancery.

47. Provided always, That the Rights of all Parties in any Suit already instituted, and now pending in the High Court of Chancery against the said Commissioners, either alone or with other Defendants, shall be unaffected by this Act, save so far as the Powers of Leasing, Alienation, Sale, and Exchange discharged from Incumbrances hereby given to the said Commissioners may affect the same, and that such Suit and all Proceedings incidental or supplemental thereto may be proceeded with and adjudicated upon in all other respects as if this Act had not been passed.

As to Costs of Act, § 49.

SCHEDULE (A.)

Lands authorized to be taken by the Commissioners.

SCHEDULE (B.)

Form of preferential Debenture.

SCHEDULE (C.)

Lands of Dean and Chapter of Westminster which have been taken by the Commissioners, but which are not to be dealt with by them until the Purchase Money has been paid.

Cap. cxxvii.

"The Sittingbourne and Sheerness Railway (Increase of Capital) Act, 1861."

Recites Incorporation of the Company in 1856, with Power to make and maintain a Railway from near Water Lane in the Parish of Sittingbourne to Mile Town, Sheerness, in the Parish of Minster in the Isle of Sheppy, with a Railway and Carriage Bridge over the Swale, and to raise a Share Capital of 80,000*l.*, and to borrow 26,600*l.*; that by their Act of 1857 the Company were authorized to make certain Deviations and to construct certain additional Lines of Railway, and a Pier or Landing Place at Queenborough Point in the Swale; and by their Act of 1859 to raise an additional Sum of 40,000*l.* by the Creation of Preference Shares, and to borrow an additional Sum of 13,000*l.*; that the whole of the 8,000 original Shares by the Act of 1856 authorized were created and issued, and the Sums actually received by the Company in respect of such Shares amount to the Sum of 52,520*l.*; that 1,475 of the original Shares of the Company have been declared forfeited for Nonpayment

of Calls, and the Sums due to the Company thereon amount to the Sum of 13,979*l.*; that 1,451 of the original Shares of the Company are now liable to be declared forfeited for Nonpayment of Calls, and Proceedings are in progress to forfeit the same under the Provisions of the Act of 1859, and the Sums due to the Company on such Shares amount to the Sum of 10,481*l.*, making with the Sum due on the forfeited Shares the Sum of 24,460*l.*; that the whole of the Sum of 40,000*l.* authorized by the Act of 1859 has been raised by the Creation of 4,000 Shares of 10*l.* each, entitling the Holders thereof to a Preference Dividend of 5*l.* 10*s.* per Centum per Annum on the Amount of each Share; that they have completed and opened for Railway Traffic the Railway and Bridge over the Swale as authorized by the Acts of 1856 and 1857, and the Branch Railways by the Act of 1857 authorized have also been completed, but the Pier at Queenborough Point, thereby authorized, is not yet completed; that they have expended the whole of the Sums raised under the Acts of 1856 and 1859, and the Sum remaining to be raised under the last-mentioned Act will not be sufficient to discharge the existing Liabilities of the Company, and to complete the said Pier and execute other Works in connexion therewith which will be required for the Convenience of the Traffic thereat and for the general Purposes of the Company, and it is expedient that the Company should be authorized to raise an additional Sum of 30,000*l.* by the Creation of Preference Shares entitling the Holders thereof to a Dividend of 5*l.* 10*s.* per Centum per Annum on the Amount of such Shares; also that the Company should be enabled to provide Ballast for Ships frequenting the said Pier, and to enter into permanent Arrangements with the Owners of Steam Vessels and other Vessels undertaking to ply regularly between the said Pier and other Places; proposes to give Power to lease the said Pier and the Tolls, Rates, and Charges demandable thereat, and to alter some of the Provisions of the recited Acts with reference to the Bridge over the Swale, the Forfeiture of Shares, and other Matters.

Power to raise 30,000*l.* additional Capital by Shares, with or without a Preference not exceeding 5*l.* 10*s.* per Cent., §§ 2 to 7.

Power to borrow 10,000*l.*, §§ 8 to 10.

Removing Doubts as to Forfeiture of certain Shares, § 13.

Power to lease the Pier, § 14.

Powers vested in the Company may be exercised by the Lessees, § 15.

Power to enter into Contracts, § 16.

Lease, &c. not to affect Rights, § 17.

Saving existing Agreements, § 18.

Company may enter into Arrangements for regular Service of Vessels to and from Pier, § 19.

Pier to be completed in accordance with Plan approved by Admiralty, § 20.

Penalty for Nonobservance of Admiralty Regulations as to Vessels using the Pier, § 21.
Power to provide Ballast for Ships, § 22.
Company empowered to release Lands from Rates, § 23.
Power to sell Ferry Lands, § 24.
Application of Monies arising from Release of Rates and Sales of Ferry Lands, § 25.
Arrears of Acreage Rates may be recovered by Company, § 26.
Repeal of Section 26 of Act of 1856, § 27.
Company not to detain Vessels, § 28.
Saving Rights of the Crown, § 29.

Cap. cxxviii.

"The London and North-western Railway (Lines near Liverpool) Act, 1861."

Proposes to enable the London and North-western Railway Company to construct Railways from Edgehill to near Bootle, from Winwick to Golborne, and from Aston over the River Mersey at Runcorn to Ditton, with a Branch to Runcorn, and to acquire within the Town and Parish of Liverpool certain Lands for the Enlargement of their Station at Wapping, and also of their Station at Lime Street, and in connexion therewith to make a new Street, to appropriate Parts of existing Streets, and to execute other Works.

Incorporation of Consolidation Acts, §§ 2, 3.
Power to take Lands and to make Railways, §§ 4, 5.
Vulcan Street not to be stopped up or interfered with without Consent of Mersey Board, § 6.
Prescribing Line of Railway at Walton, § 7.
Execution of Works for Railways affecting Lancashire and Yorkshire Railway, § 8.
Maintenance of those Works, § 9.
Company not to take Land of Lancashire and Yorkshire Company without Consent, § 10.
The Tunnel under the Leeds and Liverpool Canal to be made according to a Plan to be approved by the Engineer of the Canal Company, § 11.
Tunnel to be kept in good Repair by the Company, § 12.
For Protection of Drains belonging to the Canal Company, § 13.
If the Leeds and Liverpool Canal is obstructed, the Company to pay the Damage, § 14.
On South Side of River, Abutment to be set back, and Castle Rock cut off, § 15.
As to Construction of Viaduct across River Mersey, § 16.
Previously to Commencement of Works, Plans, &c. to be deposited at Admiralty, §§ 17 to 20.
Piers to be encased, § 21.
The Company to make and open Branch in Duke's Dock simultaneously with Main Line, § 22.

The Company to place Lights during Progress of Works, and at all Times light Two centre Piers in River from Sunset to Sunrise, § 23.
For preserving the Access to the Docks, and protecting the Interests of the Duke of Bridgewater's Trustees, and of the Company of Proprietors of the Mersey and Irwell Navigation, §§ 24 to 29.
Regulation as to the Viaduct through Property of John Hutchinson, Esq., § 30.
Communication with St. Helen's Railway, §§ 31 to 34.
Protecting Access to Widnes Dock, &c., § 35.
Protecting Access to Hutchinson's Pier, § 36.
Providing for Arbitration, § 37.
Company may apply its Funds, § 38.
Restriction on the Construction of Sidings upon certain Lands, § 39.
Indemnifying North Union Fund, § 40.
Regulating Inclination of a certain Road, § 41.
Power to alter Engineering Works, § 42.
Company not to alter Level of Derby Road, § 43.
For the Protection of the Main Conduit or Water Pipe of the Corporation of Liverpool, § 44.
Certain Provisions of Railways Clauses Consolidation Act, 1845, to apply to the Mains and Pipes, &c. of the Corporation of Liverpool, § 45.
As to the Crossing of certain Roads in the District of West Derby, § 46.
Company to repay to West Derby Local Board additional Cost of Sewers, § 47.
Company to repay to Wavertree Local Board additional Cost of Sewers, § 48.
Power to make new Street and Communication, § 50.
Company to construct a substituted Sewer in such new Street, § 51.
Company to pay Expenses of consequential Alterations of other Streets, § 52.
Certain Streets not to be stopped up without Consent of Corporation, § 53.
New Station to be so constructed as that Carts, &c. may wait without unnecessarily obstructing the Streets, § 54.
Company to reimburse Council of Borough of Liverpool additional Cost of Sewerage, § 55.
Three Years for compulsory Purchase of Lands, § 56.
Five Years for Completion of Railways, &c. §§ 57, 58.
Authorizing Sale of Lands belonging to the Duchy of Lancaster, and providing for Application of Purchase Money, §§ 59, 60.
Tolls for Bridge over Mersey, § 61.
The Company to purchase from the Marquis of Cholmondeley his Interest in the Runcorn Ferry, § 62.
The Company to purchase the Interest of the Lessees therein, § 63.
The Company to construct a Footbridge for the Use of the Public, §§ 64, 65.

Toll to be taken for Passage over the Bridge, § 66.
Power to raise additional Capital, 1,000,000*l.*, by ordinary Shares, §§ 67 to 71.
Power to borrow 333,000*l.*, §§ 72 to 74.
Saving Rights of the Crown and the Duchy of Lancaster, §§ 77, 78.
Schedule (Form).

Cap. cxxix.

"The Downpatrick and Newry Railway Act, 1861."

Proposes to incorporate a Company for making a Railway from the Belfast and County Down Railway at Downpatrick to Newry, and a Railway therefrom to join the Newry and Armagh Railway, and to authorize certain other Companies to subscribe.
Capital, 265,000*l.*, §§ 4, 5.
Power to borrow 88,300*l.*, § 6.

7. It shall be lawful for the Belfast and County Down Railway Company and the Newry, Warrenpoint, and Rostrevor Railway Company to subscribe towards and become Shareholders in the Undertaking, each to the Extent of 20,000*l.*; and the said Companies may, with the Authority of Three Fifths of their Shareholders present, personally or by Proxy, at a General Meeting specially convened for the Purpose, respectively contribute and apply in Payment of their said respective Subscriptions any Monies which they are already respectively authorized to raise, and which may not be required by them for the Purposes for which those Monies were authorized to be raised, and also any Monies which they are by this Act respectively authorized to raise; and the said Companies shall, in respect of the said Sums to be subscribed and the corresponding Shares in the Company to be held by them respectively, have all the Powers, Rights, and Privileges, (except in regard to voting at General Meetings, which shall be regulated by the special Provisions herein-after contained,) and be subject to all the Obligations and Liabilities of Proprietors of Shares in the Company: Provided always, that until the Railways by this Act authorized shall have been completed and opened for the public Conveyance of Passengers, it shall not be lawful for either of the said Companies to transfer any of the Shares in the Company held by them respectively of which the full nominal Amount shall not have been paid up.

8. Provided always, That the Company and either of the contributing Companies may contract that the Contribution of the contracting Company shall be devoted to the Construction and Maintenance of some particular Portion of the Railways, and that in consideration of the Monies advanced for that Purpose the contracting Company shall have Control, or a Share to be agreed on in the Control, over the Construction and Maintenance, Management and working of that Portion of the Railways, and that the Dividends or Interest which shall be

be payable on the Shares taken or Money advanced by them shall be derived only from the Profits of the said Portion of Railway.

Meetings; Directors, §§ 9 to 14.

Power to contributing Companies to raise Money by the Creation of Shares, with or without a Preference not exceeding 5*l.* per Cent., § 15.

Power to make Railways, §§ 16 to 18.

Protecting Land of Dublin and Belfast Junction Railway Company, § 24.

Saving Rights of the Marquis of Downshire, § 25.

As to Branch to Goragh Wood, § 26.

As to Construction of Railway at Dundrum Bay, § 27.

As to crossing of Newry River, § 28.

Lands to be bought by Compulsion in Three Years, § 31.

Five Years for Completion of Railways, § 32.

Communication with other Railways to be made under the Direction of the Engineer of those Railways, §§ 33 to 35.

Protecting Property of Bann Reservoir Company, § 36.

Tolls, §§ 38 to 46.

Power to enter into Traffic Arrangements with other Railway Companies, §§ 47 to 54.

Saving Rights of the Crown, § 55.

Cap. cxxx.

"The London and North-western Railway (Eccles, Tyldesley, and Wigan) Act, 1861."

Proposes to make new Railways from Eccles through Tyldesley to Wigan, with a Branch to Bedford and Leigh, all in the County of Lancaster.

Incorporation of Consolidation Acts, § 2.

Power to take Lands and to make Railways, §§ 4, 5.

Power to alter Engineering Works, § 6.

Three Years for compulsory Purchase of Lands, § 8.

Five Years for Completion of Railways, &c., §§ 9, 10.

Indemnifying North Union Fund, § 11.

For Protection of the Corporation of Liverpool, § 12.

Bridge over the Bridgewater Canal, § 13.

Company to erect Passenger Station at Worsley, § 14.

Protecting Supply of Water to Worsley Hall, § 15.

No Deviation to be made on certain Lands, § 16.

Saving Rights of the Duke of Bridgewater's Trustees and of the Earl of Ellesmere, § 17.

Provisions for Protection of Lord Lilford's Estate in Atherton and the Tunnel at Leigh, § 18.

Provision as to Highway at Ince-in-Mackerfield, § 19.

Power to raise additional Capital of 350,000*l.*, to be subject to same Incidents as ordinary Capital, §§ 20 to 24.

Power to borrow 115,000*l.*, §§ 25 to 27.

Cap. cxxxi.

"The Fife and Kinross Railway Amendment Act, 1861."

Recites that the Fife and Kinross Railway Company were incorporated in 1855, and further Powers were conferred on the Company by "The Fife and Kinross Railway (Diversion and Extension) Act, 1857," and "The Fife and Kinross and Kinross-shire Railways Junction and Joint Station Act, 1858;" that they were by the first and second recited Acts authorized to raise the Sum of 82,000*l.* by Shares, and to borrow 27,000*l.*; that they have issued 5,615 Shares of the Capital authorized to be raised by the first and second recited Acts, and 2,585 Shares authorized to be raised by the first-recited Act have not been issued; that 43,754*l.* has been received by the Company on account of Shares, and the Sum of 27,000*l.* has been borrowed by them; that the Company have expended the Sum of 115,104*l.* in the Construction of the Railways and Works authorized by the recited Acts, and in carrying the same into effect; and in order to meet their Engagements it is necessary that they should be authorized to raise additional Capital for the general Purposes of their Undertaking.

Incorporation of Provisions of Companies Clauses Act, § 3.

Company not to create unissued Shares.

4. It shall not be lawful for the Company to create or issue any Part of the 2,585 unissued Shares of the Capital authorized to be raised by the first-recited Act: Provided that nothing in this Act contained shall prejudice or affect the Right of the Company to sue for and recover any Calls remaining unpaid on the Shares created and issued under the Authority of the first and second recited Acts, or either of them, or to forfeit such Shares in case of Nonpayment of Calls.

Power to raise additional Capital by new Shares.

5. In addition to the Capital authorized by the first and second recited Acts, as restricted by this Act, it shall be lawful for the Company to raise for the general Purposes of their Undertaking any Sum not exceeding 53,850*l.* by the Creation and Issue of new Shares in their Undertaking.

Amount of Share Capital.

6. The Capital of the Company raised and to be raised by the Creation and Issue of Shares in their Undertaking under the Authority of the first and second recited Acts and this Act shall not exceed in the whole the Sum of 110,000*l.*

Power to confer on new Shares Right to preferential Dividend not exceeding 5*l.* per Cent., §§ 7 to 11.

Power to borrow 9,600*l.* more, or to raise that Sum or Part thereof by new Preference Shares at 5*l.* per Cent., §§ 12 to 16.

Cap. cxxxii.

"The North London Railway (Widening) Act, 1861."

Proposes to empower the North London Railway Company to widen a Portion of their Railway and to raise further Monies.

Incorporation of Consolidation Acts, § 3.

Power to purchase Land for widening Railway, § 5.
Power to construct additional Works, § 6.
Bridges in Islington Parish to be widened, § 7.
Regulating Crossings under the Metropolis Roads, § 8.
For Protection of Sewers of Metropolitan and other Boards, § 9.
Local Rates to be made good, § 10.
Tolls and Charges, § 11.
Power to raise additional Capital of 100,000*l.* by Shares, with or without a Preference not exceeding 5*l.* per Cent., §§ 12 to 17.
Power to borrow 33,300*l.*, and to convert into Stock the borrowed Capital to be raised under this Act, §§ 18 to 24.
Power to London and North-western Railway Company to take their proportionate Amount of the new Share Capital, § 25.
Power for London and North-western Railway Company to raise additional Capital, § 26.
Regulations of such new Capital, §§ 28 to 30.

Cap. cxxxiii.

"The Metropolitan Railway Act, 1861."

Preamble recites that by "The Metropolitan Railway Act, 1854," the Metropolitan Railway Company were incorporated, and were empowered to make a Railway from the Great Western Railway at Paddington to the General Post Office in St. Martin's-le-Grand; and whereas by various other Acts Deviations were authorized in the Line of the Metropolitan Railway, and the Company were authorized to construct a Branch to the Great Northern Railway, and the Termination of the Railway in the City of London was altered from the General Post Office to the Eastern Side of Victoria Street; and by "The Metropolitan Railway Act, 1860," they were authorized to purchase additional Lands; that the Time for making the Railway was extended by the Act of 1859 for Three Years from the passing of that Act, and by the Act of 1860 for a further Period of One Year; that the Company are proceeding with the Execution of the recited Acts, and have expended large Sums of Money in the Purchase of Lands and Construction of Works; and the Company have fulfilled the Obligations imposed upon them by the said Acts of paying up One Half of their Share Capital, and expending for the Purposes of the said Acts a Sum equal thereto; that the Company find that they will require extended Powers for the Purchase of Lands and the Construction of Works, and also to purchase or take certain additional Lands; that it is expedient that the Company should be authorized to make a Branch or Curve in the Parishes of Saint Mary Islington and Saint Pancras, for the Purpose of improving the Communication with the Great Northern Railway, and also a Line of Railway to improve the Means of Communication with the intended Meat and

Poultry Market at Smithfield; that there are several Courts and Passages which it is expedient should be stopped up, and it is also expedient that the Company should be authorized to raise or alter the Level of the new Street from Charles Street to Cow Cross Street; that it is expedient to extend the Time for the Completion of the Main Line of Railway and the Works connected therewith; and that the Company should be authorized to raise further Sums of Money, and that certain Alterations should be made in the Provisions of the recited Acts as regards the Mode of Proceeding with the Works, and the Times for their Completion, and that certain further Powers with respect to the Railway and Works should be granted to the Mayor and Commonalty and Citizens of the City of London, and to certain Railway Companies.

Incorporation of Consolidation Acts, § 4.

Power to make Works according to deposited Plans, § 5.

Describing the Lands and Works, § 6, 7.

Power to stop up Passages and to alter certain Streets, §§ 8 to 10.

Five Years for Completion of new Works, §§ 11, 12.

One additional Year for completing Railway, §§ 13, 14.

Certain Sections of the Metropolitan Railway Acts to apply to Works authorized by this Act, § 15.

Arrangements with Grand Junction Canal Company as to setting back Houses, § 16.

Power to agree with Vestries, &c. as to Restoration of Streets, § 17.

Restoration of Roads in Six Months, § 18.

Chief Surveyor of Saint Pancras substituted for Vestry Clerk, &c., § 19.

Notwithstanding no Notice given by Vestry within Time limited by Act of 1854, Company to reinstate Sewers after Notice, § 20.

Modification of Clause 155 of the Act of 1854, § 21.

Vestry of Saint Pancras may employ Persons to direct Traffic, § 22.

Company to pay to Vestry of Saint Pancras Proportion of extra Costs incurred, § 23.

As to certain Local Rates, § 24.

As to certain Streets, &c. in Holborn District, §§ 25, 26.

For Protection of Sewers of Metropolitan and other Boards, § 27.

For Protection of Sewers in City of London, § 28.

Company to restore Streets, § 29.

For Protection of Lord Northampton's Lands, § 30.

Certain Streets to be kept open for Traffic, § 31.

Agreements with Great Northern and Great Western Railway Companies, § 32.

Power to Companies to agree for Use of under Surface of Metropolitan Meat Market, § 33.

No Land belonging to the Corporation to be taken without their Consent except for the Purpose of tunnelling, § 34.

Company may apply their Funds towards Purposes of Act, § 35.
Power to Company to raise additional Capital of 300,000*l.*, § 36.
Regulations of new Capital, §§ 37 to 39.
Power to borrow 100,000*l.*, §§ 40 to 43.
Incorporation of Parts of Companies Clauses Act, § 44.
Provisions of Metropolitan Railway Acts to remain in force, § 45.

Cap. cxxxiv.

"The Birkenhead Railway (Vesting) Act, 1861."

Preamble recites that by "The Birkenhead, Lancashire, and Cheshire Junction Railway Act, 1852," the Birkenhead, Lancashire, and Cheshire Junction Railway Company were dissolved, and were re-incorporated with a Capital of 2,550,000*l.*, and with Power to borrow 600,000*l.*, and were authorized to complete and maintain the Birkenhead, Lancashire, and Cheshire Junction Railway; that by "The Birkenhead Railway Act, 1859," the Birkenhead Company were authorized to make and maintain additional Railways, with a Provision that if those Railways were not completed and opened for public Traffic within Five Years after the passing of the reciting Act, the Birkenhead Company should not pay any Dividends on their ordinary Capital until those Railways should be completed and opened for public Traffic, and their Name was changed to the Name "The Birkenhead Railway Company," and the Birkenhead Company on the one Part, and the London and North-western Railway Company and the Great Western Railway Company on the other Part, were authorized, at any Time before the 1st Day of November 1864, to enter into and carry into effect Agreements for the Working and User, Management, Maintenance, and Repair by the North-western Company and the Great Western Company, or either of them, with the Consent of the other, of the Undertaking of the Birkenhead Company and the Traffic thereon, and otherwise relating thereto; that by "The Shrewsbury and Chester Railway (Birkenhead Station) Act, 1851," Provision was made for the User by the Shrewsbury and Chester Railway Company of the Lines of Railway, Stations, and Conveniences of the Birkenhead Company, and for the User by the Birkenhead Company of the Shrewsbury and Chester Railway, and the Stations and Conveniences thereof, and for facilitating the Interchange of Traffic between the respective Railways of the Shrewsbury and Chester Railway Company and the Birkenhead Company respectively; that by "The Shrewsbury and Chester Railway Act, 1854," Provision was made for the settling by Arbitration of Differences with respect to the Consideration to be paid by each of the Shrewsbury and Chester Railway Company and the Birkenhead Company to the other of them for the User by them respectively of each other's

Railways; that the Shrewsbury and Chester Railway Company have become amalgamated with the Great Western Company; that by "The Birkenhead Railway Act, 1859," the Provisions of "The Shrewsbury and Chester Railway (Birkenhead Station) Act, 1851," and "The Shrewsbury and Chester Railway Act, 1854," respectively, with respect to the User by the Great Western Company (representing the Shrewsbury and Chester Railway Company) of the Birkenhead Railway, were extended to the Birkenhead Company's Railway to their Basin at Tranmere Pool, authorized by "The Birkenhead Railway Act, 1859;" that the Birkenhead Company have a Share with the North-western Company and the Chester and Holyhead Railway Company and the Great Western Company of the Joint Station at Chester; that by "The Warrington and Altrincham Junction Railway Act, 1853," Provision was made for the User by the Company then called the Warrington and Altrincham Junction Railway Company, but now called the Warrington and Stockport Railway Company, of the Railway of the Birkenhead Company, and the Stations and Conveniences belonging exclusively to the Birkenhead Company, and for the User by the Birkenhead Company of the Warrington and Stockport Railway, and the Stations and Conveniences belonging exclusively to the Warrington and Stockport Railway Company; that by "The Warrington and Stockport Railway (Leasing) Act, 1859," the Warrington and Stockport Railway was vested in the North-western Company and the Saint Helen's Canal and Railway Company as Lessees thereof for a Term of 999 Years, and Provision was made for the Purchase by the North-western Company of the Warrington and Stockport Railway, and Provision was made with respect to the User of the Railway of the Birkenhead Company by the Lessees of the Warrington and Stockport Railway and by the North-western Company as Purchasers thereof, and also with respect to the Use by the Birkenhead Company of the Manchester South Junction and Altrincham Railway; that by "The Mersey Docks and Harbour (Works) Act, 1858," Provision was made for a Lease to the Birkenhead Company of a Part of the Land at Birkenhead called the South Reserve; that the Capital and Debenture Debt of the Birkenhead Company now stand as follows; (that is to say,)

	£	s.	d.
Debenture Stock bearing preferential Dividends at the Rate of 4*l.* per Centum per Annum - - -	6,170	0	0
Ordinary Stock - - - -	1,941,505	10	0
Total Capital - - -	£1,947,675	10	0
Mortgage and Bond Debt - -	490,673	9	9
Total Capital and Debt -	£2,438,348	19	9

And that the Birkenhead Company have Power to raise the following Sums; (that is to say,)

	£	s.	d.
By Shares or Stock - - -	608,494	10	0
Less received on forfeited Shares	134,316	0	0
	£474,178	10	0
By borrowing - - - -	103,156	10	3
Total - - -	£577,335	0	3

that an Agreement (set out at length), dated the 11th Day of August 1859, was entered into between the Birkenhead Company and the North-western Company and the Great Western Company; that a supplemental Agreement (also set out at length), dated the 20th Day of November 1860, was entered into between the Birkenhead Company and the Two above-mentioned Companies respectively; that an Agreement (also set out at length), dated July 19th, 1860, was entered into between the London and North-western and the Great Western Railway Companies for working and for a Lease of the Birkenhead Railway; that it is expedient that the said Agreements be confirmed, and that the Undertaking, Railways, Works, Property, Powers, and Privileges of the Birkenhead Company be vested in the Two Companies as from the 1st Day of January 1860 inclusive, and that further Provision be made with respect to the Maintenance, Management, Working, and User by the Two Companies of the Railways, Works, and Property of the Birkenhead Company, and the Traffic on those Railways; that other Agreements, dated respectively the 22d Day of June 1859, the 10th Day of August 1859, and the 17th Day of August 1860, have been entered into between the Three Companies in relation to the Birkenhead Railway, but inasmuch as on the passing of this Act the Provisions of those Agreements will become unnecessary, it has been agreed between the Companies that such Agreements shall be annulled.

Confirming Agreements between the Companies, § 2.

Annulling other Agreements, § 3.

Birkenhead Railway vested in North-western and Great Western Railway Companies jointly, but for separate Use of each Company, §§ 4, 5.

Powers and Duties of Birkenhead Company as to Birkenhead Railway transferred to the Two Companies, § 6.

Provisions of other Acts to apply to the Two Companies, § 8.

The Two Companies to complete Railways authorized by Act of 1859, § 10.

The Two Companies to perform Duties of Birkenhead Company as to Birkenhead Railway, § 11.

The Two Companies to indemnify Birkenhead Company against Duties as to Birkenhead Railway, and against their Debts and other Liabilities on account of Capital, §§ 12, 13.

The Two Companies may recoup themselves Monies paid on account of the Company, § 14.
The Two Companies to pay to Birkenhead Company Dividends on their ordinary Capital, § 15.
Provision for increased Dividends, §§ 16, 17.
Payment of the Dividends, § 18.
Remedy by Action for Recovery of Dividend, §§ 19, 20.
The Two Companies to keep Registers of Birkenhead Holders of Stock, and pay Dividends to them, § 21.
The Two Companies may raise Capital of the Company not yet raised, § 22.
Saving existing Preference Shares of the Two Companies, § 23.
The Two Companies may exercise the borrowing Powers of the Birkenhead Company, § 24.
Birkenhead Company not to be liable in respect thereof, § 25.
Application of Monies by the Two Companies, § 26.
The Two Companies authorized to apply Corporate Funds to Purposes of Act, § 27.
Priority of existing Mortgages of Birkenhead Company, § 28.
If Railways authorized by Birkenhead Railway Act, 1859, not completed within limited Period, Dividends on ordinary Capital of Two Companies suspended, § 31.
Liabilities of the Two Companies under this Act, § 32.
Either of the Two Companies paying more than their rateable Share of joint Liabilities may recover from the other of the Two Companies, § 33.
Tolls on Birkenhead Railway, §§ 34 to 37.
Joint Committee, §§ 38 to 48.
Appointment of Special Chairman by Joint Committee, § 49.
Appointment of Special Chairman by Board of Trade, § 50.
Authority of Special Chairman, § 51.
Salary of Special Chairman, § 52.
Accounts of Joint Committee, §§ 53, 54.
Actions, &c. by and against the Two Companies and Joint Committee, § 55.
Expenses of Joint Committee to be paid by the Two Companies, § 56.
Arrears to bear Interest, § 57.
User of Birkenhead Railway by the Two Companies, § 58.
Expenses of the Two Companies on the Birkenhead Railway, § 59.
Agreements with reference to Appropriation, Use, &c. of Lands, Quays, &c. may be made by the Two Companies, § 60.
Securing to certain other Companies Facilities for Traffic, &c., § 61.
Existing Contracts between the Birkenhead Commissioners and Railway Companies rescinded, § 63.
Two Companies may convey their Railway Traffic over River Mersey, § 64.

Birkenhead Commissioners and Railway Companies may enter into Contracts, § 65.
Saving Rights of Woodside Ferry, § 66.

Cap. cxxxv.

"The North-eastern Railway Company's (Grosmont and Whitby Branches) Act, 1861."

Proposes to enable the North-eastern Railway Company to construct a Branch Railway between the North Yorkshire and Cleveland Railway at Castleton, and the Whitby and Pickering Railway; to make a Deviation in and abandon Part of the last-mentioned Railway; to extend the Time limited by "The North-eastern Railway Company's (Bedale and Leyburn and Rosedale Railways Amalgamation) Act, 1859," for the Completion of the Guisbrough Branch Railways, being the Branch and Junction Lines of Railway first, secondly, and thirdly authorized to be constructed by "The North Yorkshire and Cleveland Railway Act, 1855," and to raise further Monies.

Incorporates Consolidation Acts, §§ 2, 3.
Power to make Railways and Works and acquire additional Lands, § 4.
Power to acquire Interests in Lands at Whitby, § 5.
Company to abandon Portion of Whitby and Pickering Railway, and sell the Site thereof, §§ 6, 7.
Provision as to Roads crossed by abandoned Railway; Compensation, §§ 8, 9.
Power to alter the Rates of Inclination of certain Roads, § 10.
Lands not to be purchased compulsorily after Three Years, § 12.
Works to be completed within Five Years, §§ 13, 14.
Extension of Time for Completion of Guisbrough Branch Railways, § 15.
180,000*l.* additional Capital may be raised, §§ 16, 17.
Power to borrow 60,000*l.*, § 18.
Power to assign Preference of 5*l.* per Cent. to new Shares or Stock, §§ 19 to 24.
Tolls of "The North-eastern Railway Company's Act, 1854," to be taken, § 25.
Power to apply Monies raised under existing Acts to the Purposes of this Act, § 26.
Authorizing Sale of Lands belonging to the Duchy of Lancaster, and providing for Application of Purchase Money, § 30.
Concerning the Sale and Working of Mines belonging to the Duchy of Lancaster, § 31.
For the Conveyance of Waste Lands belonging to the Duchy of Lancaster, § 32.
For Enrolment of all Deeds of Conveyance of Land belonging to the Duchy of Lancaster, § 33.

Saving Rights of the Crown and the Duchy of Lancaster, § 34.
Transfers of Debenture Stock to be stamped, § 35.
Schedule (Form).

Cap. cxxxvi.

"South Staffordshire Railway Act, 1861."

Preamble recites that by "The South Staffordshire Junction Railway Act, 1846," and by "The Trent Valley, Midlands, and Grand Junction Railway Act, 1846," Two Companies were incorporated, but under the Provisions of those Acts such Two Companies became amalgamated under the Title of "The South Staffordshire Railway Company;" that by "The South Staffordshire Railway (Leasing) Act, 1850," the Company were authorized to lease their Railway; that by the South Staffordshire Railway Acts, 1847 and 1851, further Powers were conferred upon the Company, and by "The South Staffordshire Railway Act, 1854," the Company were authorized to make Two Branch Railways, called respectively the Cannock Branch and the Norton Branch; that by "The South Staffordshire Railway Act, 1855," the Company were authorized to make other Branches, and the Powers of "The South Staffordshire Railway (Leasing) Act, 1850," were extended to all Parts of the Undertaking of the Company; that by "The South Staffordshire Railway Act, 1859," the Company were authorized to raise further Sums of Money; that the Share Capital which the Company are authorized to raise amounts in the whole to 1,097,000*l.*, and they are authorized to borrow 363,000*l.*, nearly the whole of which Sums have been subscribed for and borrowed; and that the Company require further Sums of Money for the Construction of the authorized Branches, for purchasing Mines under and adjoining the Railway, and for other Purposes of their Undertaking, and it is expedient that the Company should be authorized to raise such further Sums of Money by Shares and by borrowing, and also to convert their Debenture Debt into Debenture Stock.
Power to Company to raise additional Capital of 105,000*l.*, § 2.
Company may issue Shares as fully paid-up Shares, § 4.
Certain Sections of Act of 1859 to apply to new Capital, § 5.
Power to borrow 35,000*l.*, §§ 6, 7.
Application of Sums raised under this Act, § 8.
Company may raise the Money to be raised on Mortgage, &c. by the Issue of Debenture Stock, § 9.
Terms and Conditions of Debenture Stock, §§ 10 to 17.

Cap. cxxxvii.

"South Essex Waterworks Act, 1861."

Preamble recites the Expediency of more effectually supplying with Water certain Towns and Parishes in the Southern Part of the County of Essex.

Incorporation of Consolidation Acts, § 2.
Subscribers incorporated, with a Capital of 80,000*l.*, and Power to borrow 20,000*l.*, §§ 3 to 7.
Meetings; Directors, §§ 8 to 12.
Power to take Lands for Works, § 13.
Position of Aqueducts and Reservoir in Aveley to be deviated, § 14.
Works which the Company may execute, § 15.
Limiting the Power of taking Land belonging to Her Majesty, § 16.
Five Years for Completion of Works, § 17.
Limits of the Act, § 18.
Water need not be laid on under Pressure, § 19.
For preventing Accidents from Reservoir, §§ 20 to 29.
Rates at which Water is to be supplied for domestic Purposes, §§ 31 to 33.
As to Construction of Cisterns, Closets, and Baths, § 34.
Company to supply Water to Secretary of State in Council at a given Price, § 35.
Pipe to be laid down as Compensation to Sir T. B. Lennard for Power to use his Lands, § 36.
Company to supply Pipe with Water, § 37.

Cap. cxxxviii.

"The Enniskillen and Bundoran Railway Act, 1861."

Proposes to make a Railway from a Point on the Londonderry and Enniskillen Railway near the Lowtherstown Road Station thereon in the County of Tyrone to the Town of Bundoran in the County of Donegal; recites that by virtue of "The Dundalk and Enniskillen Railway Act, 1859," the Londonderry and Enniskillen Railway has been or may be leased to and is now worked and managed by the Dundalk and Enniskillen Railway Company; and it is expedient to authorize the Company now to be incorporated and the Dundalk and Enniskillen Railway Company to make and carry out Working and other Arrangements with respect to the said intended Railway; and that the Dundalk and Enniskillen Railway Company should be empowered to contribute towards the Expense of the Undertaking hereby authorized.
Incorporation of Consolidation Acts, §§ 1, 2.
Subscribers incorporated, with a Capital of 200,000*l.* in Shares of 10*l.*, and Power to borrow 66,600*l.*, §§ 4 to 10.
Meetings; Directors, §§ 12 to 21.
Power to make Railway, §§ 22, 23.
Portion of Railway to be made according to amended Plan, § 24.
Board of Trade Provisions as to Roads to be crossed on a Level, §§ 26 to 28.
Works affecting Navigation not to be deviated without Consent of Admiralty, §§ 30 to 34.
Three Years for compulsory Purchase of Lands, § 36.
Five Years for Completion of Railway, §§ 37, 41.

Junction with the Londonderry and Enniskillen Railway, §§ 38 to 40.
Tolls, §§ 42 to 50.
Dundalk and Enniskillen Railway Company may subscribe and apply existing Funds towards Subscription, not exceeding 50,000*l.*, § 51.
Power to Dundalk and Enniskillen Railway Company to raise Money by Shares or Stock, with or without a Preference not exceeding 5*l.* per Cent., §§ 52 to 57.
Traffic Arrangements with Dundalk and Enniskillen Railway Company, §§ 58 to 63.

Cap. cxxxix.

"The Midland Railway (Otley and Ilkley Extension) Act, 1861."

Preamble recites that it is expedient to enable the Midland Railway Company to make Railways from the Leeds and Bradford Line of their Railway to Otley and Ilkley in the West Riding of the County of York.
Incorporation of Consolidation Acts, § 2.
Power to take Lands and make Railways, §§ 4, 5.
Rails to be laid on longitudinal Sleepers through Esholt Hall Estate, § 6.
How Railway to be made through Belmont Wood, § 7.
Limiting Deviation in Lands of Bertie Markland, § 8.
Regulating Inclination of certain Roads, § 9.
Power to alter Engineering Works, § 10.
Three Years for compulsory Purchase of Lands, § 12.
Five Years for Completion of Railways, § 13.
Provisions of Railways Clauses Consolidation Act relating to Water Companies to apply to Works, &c. for supplying Otley with Water, § 15.
Company not to divert certain Streams, § 16.
Equal Facilities to be afforded to Passengers to or from Bradford as to Passengers to or from Leeds, § 17.
Provision as to Construction of Joint Line between Otley and Ilkley, § 18.
Appointment, Powers, &c. of Joint Committee, §§ 20 to 28.
As to Expense of constructing Joint Line, § 29.
Joint Committee may make Calls on the Two Companies, § 30.
Net Profits of Joint Line to be carried to a Common Fund, &c., § 34.
As to the Expenses of Management, § 35.
Actions, &c. by and against the Two Companies and Joint Committee, §§ 36 to 38.
Arbitrator to be appointed, §§ 39 to 41.
As to Settlement of Disputes, § 42.
Parts of Companies Clauses Act incorporated, § 43.
Power to create new Capital not exceeding 185,000*l.*, §§ 44, 45.
Privileges may be attached to new Shares; Disposal of Shares, §§ 46 to 52.

Power to raise Capital under any other Act of this Session and this Act by new Shares of One Class, § 53.
Power to borrow on Mortgage One Third of Share Capital authorized by this Act, §§ 56, 57.

Cap. cxl.

"The New Ross Port and Harbour Amendment Act, 1861."

Preamble recites the Acts of 11 & 12 Vict. c. cxxxix. and 12 & 13 Vict. c. xiv. relating to the Harbour of New Ross in the County of Wexford; that the Commissioners have put the same into execution, and have improved and maintained the said Port and Harbour, and have raised several Sums of Money on Mortgage of the Rates as by the said Acts authorized, amounting in all to the Sum of 4,100*l.*, which Sum they have expended in the Improvement of the said Port and Harbour and in carrying the Purposes of the said Acts into execution, and that the said Sum of 4,100*l.* still remains undischarged and a Burden on the said Rates; that the Provisions in the said first-recited Act contained have been found defective, inasmuch as no elective Body is constituted in whom is vested the Election of Commissioners in the Room of those who have died or may die, or have become or may become disqualified or incapable of acting as Commissioners under the said Acts; that in consequence of the said defective Provisions, Doubts have arisen whether among the Sums raised on Mortgage as aforesaid a certain Mortgage granted by the Commissioners upon the Rates in favour of "the Governors, Guardians, and Managers of the New Ross Haughton Fever Hospital," has been executed by a sufficient Number of Commissioners and is a valid Mortgage, and also whether certain other Acts of the Commissioners in regard to the levying of Rates and otherwise in the Execution of the said Acts have been legally and formally done and executed, and it is expedient that such Doubts be removed and that such Mortgage and other Acts be ratified and confirmed; and that it further becomes necessary to provide for the future Election of Commissioners, and for the better Maintenance and Management of the said Port and Harbour, and for the Levy of Tolls, Rates, and Dues in respect of Goods and Vessels resorting thereto, and it is expedient to repeal the Provisions of the said recited Acts and to re-enact other Provisions in lieu thereof.
Incorporation of Consolidation Acts, § 3.
Land not to be taken without Consent, § 4.
Part of "The Harbours, Docks, and Piers Clauses Act, 1847," incorporated herewith, §§ 5, 6.
Repeal of former Acts, § 7.
Vesting of Works, Powers, &c. of former Commissioners in Commissioners under this Act, § 8.
Saving of Rights under former Acts, §§ 9 to 13.
Appointment of Commissioners, § 15.

Mortgage by former Commissioners in favour of Haughton Fever Hospital confirmed, § 16.
Other Acts and Deeds of former Commissioners confirmed, § 17.
Appointment, Rotation, and Powers of Commissioners, §§ 18 to 23.
Meetings of Commissioners, §§ 24, 25.
Qualification of Electors, § 26.
Scale of Votes for registered Shipowners, §§ 27, 28.
Limits of the Port and Harbour, § 29.
Power to maintain and regulate the Port and Harbour of New Ross, § 30.
Power to provide Quays, Beacons, Buoys, and Mooring Posts, &c., § 31.
Power to appoint a Harbour Master, § 32.
Approval of Admiralty for Works on Sea-shore, §§ 33 to 36.
Rates for using the Harbour, § 37.
Collector of Customs may withhold a Clearance to any Vessel until Rates paid, § 38.
Meters and Weighers, § 39.
Rates for the use of Cranes and Weighing Machines, § 40.
Owners of Lighters, &c. to pay an annual Sum for the same, § 41.
Limiting Amount of Toll for certain Steam Vessels, § 42.
Power to purchase Vessels for towing, &c., § 43.
Byelaws and Regulations as to Ballast, §§ 44 to 57.
Rights of Owners of private Quays not interfered with, § 58.
Appointment of Pilots, &c., §§ 59 to 65.
Stage and Plankage Rates, § 66.
Power to lease Rates, §§ 67, 68.
Power to borrow Money on Credit of the Rates, § 69.
Sinking Fund to be established, § 70.
Regulations as to Mortgages, §§ 71 to 74.
Application of Monies raised under this Act, § 75.
Commissioners to publish an Abstract of their Accounts annually, § 76.
Board of Trade may appoint an Auditor to examine, § 77.
Saving Rights of the Crown, § 78.
Saving Rights of the Corporation for preserving and improving the Port of Dublin, § 79.

Cap. cxli.

"The North-eastern Railway Company's (Otley and Ilkley Branches) Act, 1861."

Preamble recites that it is expedient to enable the North-eastern Railway Company to construct Branch Railways between Arthington, Otley, and Ilkley, and to raise further Money.
Incorporation of Consolidation Acts, § 2.
Power to make Railways and Works, § 4.
Power to alter the Rates of Inclination of certain Roads, § 5.
Bridge under the Leeds and Otley Turnpike Road, § 6.

Lands not to be purchased compulsorily after Three Years, § 8.
Works to be completed within Five Years, §§ 9, 10.
Provisions of Railways Clauses Act with respect to Waterworks to apply to Owners of Otley Waterworks, § 11.
Company not to divert certain Streams, § 12.
Provision as to Construction of Joint Line between Otley and Ilkley, § 13.
Appointment, Powers, &c. of Joint Committee, §§ 15 to 23.
As to Expense of constructing Joint Line, § 24.
Joint Committee may make Calls on the Two Companies, § 25.
Net Profits of Joint Line to be carried to a Common Fund, &c., § 29.
As to the Expenses of Management, § 30.
Actions, &c. by and against the Two Companies and Joint Committee, §§ 31 to 33.
Arbitrator for Settlement of Disputes, §§ 34 to 37.
Additional Capital may be raised not exceeding 135,000*l.*, §§ 38, 39.
Power to borrow One Third of Share Capital authorized by this Act, § 40.
Certain Provisions of "The Companies Clauses Consolidation Act" extended to this Act, § 41.
Power to assign Preference to new Shares or Stock, §§ 43, 44.
Dividends to be a Charge against Joint Revenue, § 45.
Tolls of "The North-eastern Railway Company's Act, 1854," to be taken, § 48.
Power to apply Monies raised under existing or future Acts to the Purposes of this Act, § 49.

Cap. cxlii.

"The Parsonstown and Portumna Bridge Railway Act, 1861."

Proposes the Construction of a Railway from a Point on the Great Southern and Western Railway near to the Parsonstown Station on that Railway in King's County, to Portumna Bridge on the East Bank of the River Shannon in the County of Tipperary; and to authorize the Company and the Great Southern and Western Railway Company to make and carry out Working and other Arrangements; recites that there is now considerable Traffic between Portumna and Killaloe, and other Ports on the River Shannon, which the Formation of the said Railway may reasonably be expected to increase, and it would be for the public Advantage if the Company were authorized to provide a Steamboat or Steamboats to ply in connexion with their Railway for the Accommodation of such Traffic.
Incorporation of Consolidation Acts, §§ 1, 3.
Subscribers incorporated, with a Capital of 65,000*l.*, and Power to borrow 21,600*l.*, §§ 4 to 10.
Meetings; Directors, §§ 12 to 18.
Power to make Railway, §§ 19 to 22.

Board of Trade Provisions as to Road to be crossed on the Level, §§ 23 to 25.
Junction with the Great Southern and Western Railway, §§ 26 to 28.
Saving Rights as to the Shannon Property, § 29.
Works affecting Navigation not to be deviated without Consent of Admiralty, §§ 30 to 33.
Three Years for compulsory Purchase of Land, § 35.
Five Years for Completion of Railway, §§ 36, 37.
Tolls, §§ 38 to 47.
Company may provide and use Steam Vessels, and take reasonable Charges, §§ 48, 49.
Company empowered to make Byelaws, §§ 50, 51.
Rates to be charged equally, § 52.
Power to enter into Working Agreements with Great Southern and Western Railway Company, §§ 53 to 57.

Cap. cxliii.

"The West Cheshire Railways Act, 1861."

Preamble recites that it is expedient to incorporate a Company with Powers to make Railways from Northwich to join the Birkenhead Railway near Helsby, and to empower certain other Companies to subscribe to the Capital and to enter into Working Agreements.
Incorporation of Consolidation Acts, § 2.
Incorporation of Company, § 4.
Capital 200,000*l.*, in 10*l.* Shares, with Power to borrow 66,600*l.*, §§ 5 to 9.
Meetings; Directors, &c., §§ 10 to 16.
Power to take Lands for Works authorized by Act, § 17.
Four Years for compulsory Purchase of Lands, § 18.
Works authorized, § 20.
Power to alter Engineering Works, § 21.
For Protection of the River Weaver; saving Rights of the River Weaver Trustees, § 22.
For Protection of Road No. 79 in Helsby, § 23.
For Protection of Turnpike Road No. 7 in Parish of Tarvin, § 24.
Junctions with Cheshire Midland Railway and the Birkenhead Railway, §§ 26 to 29.
Five Years for Completion of Railways, § 30.
Running Powers and Facilities to London and North-western Railway Company, §§ 32, 33.
Same to Great Western Railway Company, §§ 34, 35.
Court of Chancery to order Transfer to Company of Monies in respect of reduced Estimate, § 36.
Tolls, §§ 38 to 45.
Line to be efficiently worked by the Sheffield Company, § 46.
Power for Company and other Companies to enter into Agreements, §§ 47 to 53.
Application of Clauses of Companies Clauses Act to Companies, § 54.

Power for Companies to contribute towards Funds of Company, guarantee Dividend, &c., § 55.
Power for Companies to raise and apply Monies for Contributions towards Funds of Company, § 56.
Appropriation of new Capital, §§ 61 to 66.
Power for Companies to nominate Persons to vote at Meetings of Company, § 67.
Directors to be appointed by contributing Companies, §§ 68 to 73.

Cap. cxliv.

"Rhymney Railway (Capital and Branch) Act, 1861."

Recites that by their Act of 1857 the Rhymney Railway Company were authorized to make and maintain the Main Line of the Rhymney Railway and the Bargoed Rhymney Branch, and the Extension Line, and the Ystrad Junction Line, and the Bute Dock Branch, and the Caerphilly Branch Railways respectively, which Main Line, Branches, Extension Line, and Junction Line respectively were together the Company's authorized Railway, and the Company were thereby authorized to raise a Capital of 300,000*l.* by Shares, and to borrow not exceeding 100,000*l.*; proposes to revive and extend the respective Periods by the recited Act limited for the compulsory Purchase of Lands and the Execution of Works for the Bargoed Rhymney Branch Railway; recites that the Capital of the Company consists of 90,000*l.* guaranteed Capital, bearing 5*l.* per Centum per Annum guaranteed Dividend, and 210,000*l.* ordinary Capital, making the Company's total Capital 300,000*l.*; that the aggregate Amount of the Debenture Debt of the Company is 100,000*l.*, and they have no Debenture Stock; that some of the Shares of the Company are liable to Forfeiture; proposes to raise further Monies.
Incorporation of Lands, Railways, and of Parts of Companies Clauses Acts, §§ 2 to 4.
Power to take and use Lands for Works authorized by Act, § 5.
Three Years for the compulsory Purchase of Lands, § 6.
Power to make Works authorized by Act, §§ 7, 8.
Power to alter Engineering Works, § 11.
Four Years for the Completion of Railway, §§ 12 to 15.

Suspension of Powers as to Bargoed Rhymney Branch Railway.

16. And whereas a Bill to enable the Brecon and Merthyr Tydfil Junction Railway Company to make certain new Lines of Railway and for other Purposes has been introduced into Parliament in the present Session, and One of the intended new Lines of Railway is described in the said Bill as terminating by a Junction with the Railway of the Rhymney Railway Company, at or near the Pontaber Bargoed Station thereon: And whereas such intended Railway is, as to Part thereof, identical or nearly identical with the Bargoed Rhymney Branch Railway: And whereas in and by the said Bill it is provided, that the Powers of the Brecon and Merthyr Tydfil Junction Railway Company, with respect to that Part of their said

said intended Railway, shall cease if within Three Months after the passing of that Bill into an Act that Company do not declare their Election to make that Part of their said intended Railway: Therefore, if that Bill shall pass into a Law during the present Session of Parliament, and as passed shall authorize the Construction of the said intended Railway, and if that Company declare their Intention to make that Part of the said intended Railway, as provided in and by the said Bill, then the Company shall not proceed under the Powers of this Act for the Period of Two Years from the passing of this Act with the Construction of that Part of the Bargoed Rhymney Branch Railway which lies between the Junction of that Branch Railway with the Main Line of the Rhymney Railway and the Field numbered 163 a, in the Parish of Gelligaer, unless with the Consent of the Brecon and Merthyr Tydfil Junction Railway Company, under their Common Seal; but if that Company shall not within the aforesaid Period of Three Months have declared such Election as aforesaid, or within the aforesaid Period of Two Years shall not have completed and opened for public Traffic the said intended Railway, then and in either of such Cases the Company may proceed with the Purchase of Land for and the Construction of the Bargoed Rhymney Branch Railway in the same Manner in all respects as if their Powers in that Behalf had not been restricted or postponed: Provided always, that the Completion and opening for Traffic of their said intended Railway by the Brecon and Merthyr Tydfil Junction Railway Company shall discharge the Company from all Liability to complete the Bargoed Rhymney Branch Railway, and from all Suspension of Dividends in relation thereto.

Railway authorized by Act to be Part of Company's Railway, § 17.

Tolls on Railway, § 18.

Extending Powers of taking Leases from Lord Bute's Trustees, § 19.

Power to raise additional Capital of 141,000*l.* by Shares, with or without a Preference not exceeding 6*l.* per Cent., §§ 20, 30 to 41.

Cancelling and Surrender of Shares, §§ 21 to 29.

Power to borrow 47,000*l.*, §§ 42 to 45; or to raise that Sum or Part thereof by Debenture Stock, § 46.

Schedule (Form).

Cap. cxlv.

"The City of Glasgow Life Assurance Company's Act, 1861."

Preamble recites that in 1839, by Contract of Copartnery, a Company was formed under the Name of "The City of Glasgow Life Assurance and Reversionary Company," for the Purpose of making Assurances on Lives or Survivorships, of making all other Kinds of Assurance connected with Life, of granting or selling Annuities either for Lives or otherwise, and on Survivorships, of purchasing Annuities

for Lives or otherwise, of granting Endowments for Children or other Persons, of receiving Investments of Money for Accumulation, and of purchasing contingent Rights, whether of Reversion, Remainder, Annuities, Life Policies, or otherwise; that by 5 & 6 Vict. c. lxv. the Capital Stock of the Company was restricted and fixed at 600,000*l.*, divided into 24,000 Shares of 25*l.* each, and certain Powers and Privileges were conferred upon the said Company; that the Company have carried on and now carry on Business in Glasgow, and have appointed Local Boards in London and Edinburgh, and Agencies in various Parts of Great Britain and Ireland, and Her Majesty's Colonies and Dependencies abroad, and Shares of the Company have been sold and Policies granted to Persons resident in England and elsewhere out of Scotland; and that it would be advantageous to the Company and beneficial to the Public, if the Company were incorporated by the Name of "The City of Glasgow Life Assurance Company," with Power to sue and be sued, to invest Monies and Funds, to take, hold, and transfer Property and Securities in Great Britain and Ireland, the East Indies, and Her Majesty's Colonies and Dependencies abroad, and it is expedient also that some of the Provisions of the said Contract of Copartnery should be extended or amended; and that the Act before recited should be repealed, and some of the Provisions thereof re-enacted, with such other Powers and Privileges as may be necessary for enabling the Company more effectually to carry on Business.

Repeal of Act 5 & 6 Vict. c. lxv.,—§ 2.
Incorporation of Company, § 4.
Liability of Company and Shareholders to continue, § 5.
Property transferred to and vested in the Company, § 6.
Policies, Bonds, and Obligations to remain valid, § 7.
Actions not to abate, § 8.
Business of the Company, § 9.
Company may sue and be sued and issue Policies, § 10.
Capital Stock of Company to consist of 600,000*l.* in 25*l.* Shares, § 11.
Register of Shareholders and Transfer of Shares, §§ 12 to 15.
Stock to be Personal Estate, § 17.
Assurances by Shareholders dispensed with, § 18.
Extending Time for Payment of Premiums, § 19.
Memorial of the Shareholders to be registered, § 20.
Closing of Transfer Book, § 21.
Principal Office and Meetings of the Company, § 22.
Annual General Meetings, § 23.
Chairman of General Meetings, § 24.
Proxies, § 25.
Directors, §§ 26 to 30.
Appointment of Manager, Secretary, &c., § 31.
Byelaws and Proceedings to be recorded and to be Evidence, § 33.
Liability and Indemnity of Directors and Members of Local Boards, § 34.
Books and Accounts to be kept, § 35.

Powers for Directors or Trustees to execute Powers of Attorney to recover Foreign Debts, § 36.
As to the Investment of the Funds of the Company, § 37.
Company may foreclose Mortgages or purchase Equity of Redemption, § 38.
Sale of Lands acquired by Foreclosure not to be delayed beyond Ten Years, § 39.
Company may hold Land without Licence in Mortmain, § 40.
Service of Arrestments, Summonses, &c. on the Company, § 41.
Shareholders and Policy Holders may sue and be sued, § 42.
Company subject to Jurisdiction of Superior Courts in England and Ireland, § 43.
Representation of the Company in Matters of Bankruptcy, § 44.
Execution of Policies and Deeds, §§ 45, 46.
Discharge of Sums payable under Policies, § 48.
Company not bound to regard Trusts, § 49.
Disputes to be submitted to Arbitration, § 50.
Contract of Copartnery and Byelaws to remain valid, § 51.

Cap. cxlvi.

"The Staffordshire Potteries Waterworks Amendment Act, 1861."

Recites that by their Act of 1853 the Staffordshire Potteries Waterworks Company were re-incorporated for the Purpose of supplying with Water the District included within the Limits of the said Act, and certain Provisions were made for affording Protection or Compensation to the Owners and Occupiers for the Time being of certain Mills and Canals specified in the said Act, and situate on or contiguous to the River Churnet; that under the recited Act the Capital of the Company was increased to 105,000*l.*, the whole of which has been called up, and they were authorized to borrow 30,000*l.*, the whole of which has been borrowed; that it would be for the public Benefit of the District which the Company are authorized to supply with Water, that they should be empowered to take and use, for the Purposes of such Supply, certain other Springs and Streams now flowing into the said River, and to construct additional Works, and to raise additional Capital, and to borrow a further Sum of Money; that they have constructed at or near Tittesworth, in the Parish of Leek in the County of Stafford, a Reservoir intended to constitute and be used as an additional Compensation Reservoir, for the Use and Benefit of the Owners and Occupiers of the Churnet Mills as required by the recited Act, but such Reservoir has not been certified, as required by the recited Act, and it is expedient that the same should be constituted a Compensation Reservoir as herein-after provided.
Incorporation of Lands Clauses Act, of Parts of Companies Clauses Act, and of Waterworks Clauses Act, §§ 3 to 5.
Power to raise additional Capital of 35,000*l.*, § 6.

Power to issue Stock instead of Shares, §§ 7 to 14.
Power to borrow to the Extent of One Fourth of paid-up Capital, §§ 15, 16.
Power to Company to take certain Springs, &c., § 17.
Power to make Works, § 18.
Extension of Powers to grant Lands and Easements, § 19.
Grant by Persons under Disability, § 20.
Annual Rent to enure to the same Uses as Land, &c. conveyed, § 21.
Rents to be charged on Water Rates, § 22.
Limits of Deviation from Line and Levels, § 23.
Three Years for compulsory Purchase of Lands, § 24.
Five Years for Completion of Works, § 25.

Certain Parts of recited Acts repealed.

26. The Provisoes to Section 26, and the whole of Sections 53 to 61, both inclusive, Sections 63, 64, and 70, of the recited Act, are by this Act repealed; provided that the Repeal thereof shall not have any retrospective Operation.

Compensation Reservoirs.

27. The present Deep Hayes and Tittesworth Reservoirs shall from and after the passing of this Act be Compensation Reservoirs, and the same, and the Gauges and other Works connected with the same respectively, shall for ever be maintained by the Company for the Protection and Benefit of the Owners of the Canals referred to in Section 52 of the recited Act, and the Owners and Occupiers from Time to Time of the Churnet Mills, being the several Mills specified in Section 52 and referred to in Section 68 of the recited Act, and the Dove Mills, being the following Mills, that is to say, a Cotton Mill at Tutbury of which Thomas Webb is Owner and Occupier, a Corn Mill at Tutbury of which Thomas Webb is Owner and Walter Bassett Bullock is Occupier, a Forge Mill at Clay Mills of which Edward Thornewill is Owner and Occupier, a Corn Mill at Doveridge of which Lord Waterpark is Owner, and a Corn Mill at Sudbury of which Lord Vernon is Owner and John Bakewell is Occupier.

Company may abstract 1,500,000 Gallons per Diem.

28. In consideration of the Provisions of this Act with respect to the Deep Hayes Reservoir and the Tittesworth Reservoir (in this Act referred to as the present Compensation Reservoirs), the Company from Time to Time may abstract and take from the Springs or Streams by the recited Act and this Act respectively authorized to be taken and used by them for the Purposes of their Water Supply, the Quantity of 1,500,000 Gallons in any One Day of 24 Hours, but, except as is by this Act otherwise provided, not any greater Quantity.

Present Compensation Reservoirs to be regulated by Millowners.

29. From and after the passing of this Act, the Power and Obligation of regulating and managing, in a proper Manner, for the Benefit of the said Canals and Churnet and Dove Mills, the Storage of Water in and the Discharge of Water from the present Compensation Reservoirs, and the Gauges thereof respectively, shall, subject to the Provisions in that Behalf of this Act, be vested in the Owners and Occupiers from Time to Time of the Churnet Mills and the Dove Mills respectively.

Company relieved from Obligations as

30. From and after the passing of this Act, the Powers by this Act conferred upon the Owners of the said Canals and the Owners and Occupiers of the Churnet and Dove Mills, in relation,

to Compensation Water.

relation to the present Compensation Reservoirs, shall operate in substitution for or satisfaction of all present Obligation otherwise binding upon the Company for causing or regulating or otherwise in relation to the actual Storage and the Flow into the River Churnet of Compensation Water.

Dove Mill-owners to attend Mill-owners Meetings.

31. In addition to the Owners and Occupiers from Time to Time of the Churnet Mills, the Owners and Occupiers from Time to Time of the Dove Mills shall after the passing of this Act be entitled to attend and vote at the Meetings mentioned in Section 68 of the recited Act, and shall have such other Rights and be subject to such Provisions as they would have and be subject to by the combined Operation of the recited Act and this Act if the Dove Mills had been included in that Section amongst the Mills therein mentioned, and the Provisions of the recited Act had been made applicable to the Owners and Occupiers from Time to Time of the Dove Mills as well as to the Owners and Occupiers from Time to Time of the Churnet Mills.

Powers of Mill Owners to be exercised at Meetings.

32. The Powers and Authorities by the recited Act and this Act conferred upon the Owners and Occupiers of the Churnet Mills and the Dove Mills shall be exercised at and by means and under the Authority of Resolutions of Meetings of the Owners and Occupiers of those Mills, which Meetings are in this Act referred to as Mill Owners Meetings; and those Meetings shall be convened and held, and the Proceedings and Votes thereat regulated, pursuant to the Provisions of Section 68 of the recited Act, and as if the Dove Mills had been included in that Section amongst the Mills therein mentioned.

Appointment of Mill Owners Engineer.

33. The Mill Owners Engineer shall be from Time to Time appointed or removed by a Resolution of a Mill Owners Meeting, and the Meetings may from Time to Time, by Resolution, delegate to him such of their Authorities and Discretions for the Purposes of this Act as they think fit.

Provisions as to letting off Water of Reservoirs.

34. The Company may draw and let off the Water of either of the present Compensation Reservoirs, when and as often as it shall be requisite for the Purpose of repairing or cleansing the same or any Part thereof, or for any other necessary Purpose, the Company thereby doing as little Damage as possible, and using all reasonable Despatch in reinstating the Reservoir, and during the Work permitting the Stream to flow freely down the Churnet; provided that, unless in case of absolute Necessity, the Water shall not be drawn off by the Company from more than One Compensation Reservoir at the same Time.

Regulation of Gauges of the Reservoirs.

35. The Company shall constantly employ, at their own Expense, a proper Person or proper Persons, to be approved by the Canal Owners and Mill Owners, who shall manage and regulate the Discharge of the Water from the present Compensation Reservoirs respectively for the Use of the said Canals and Churnet and Dove Mills, in accordance with the Provisions of this Act, and who shall keep in a Book, to be provided by the Company for that Purpose, and in such Form as shall be approved by the Canal Owners and Mill Owners, an accurate

rate daily Register showing the Height of Water in those Reservoirs respectively and the Discharge of Water therefrom; and every such Register shall be open at all reasonable Times to the Inspection of the Agents in that Behalf of the Canal Owners and of the Mill Owners, and the Company shall, when thereunto reasonably required by the Canal Owners or Mill Owners, furnish to them a Copy of the Register certified by the Company's Secretary by Writing under his Hand; provided that the Canal Owners and Mill Owners, by Resolution at any Meeting held after Seven Days Notice in Writing of the Meeting and the Object thereof given to the Company, may require the Company to remove any such Person.

Power to Mill Owners to control and examine Counter.

36. The Mill Owners shall have the Control of, and their Agents in that Behalf may from Time to Time examine the Counters affixed on the Beams of the Pumping Engines of the Company, so as to ascertain the Quantity of Water abstracted; and the Company shall keep in a Book, provided by them for the Purpose, a proper and sufficient Register of the Quantity of Water abstracted, which Register shall be open to the Inspection and Transcription of the Agents in that Behalf of the Mill Owners, and also of the Agents appointed in that Behalf by the Canal Owners.

Power to abstract further Water.

37. In consideration of the Provisions of this Act with respect to further Storage Works, the Company from Time to Time may, in accordance with the Provisions in that Behalf of this Act, but not otherwise, abstract and take from the Springs or Streams by the recited Act and this Act respectively authorized to be taken and used by them for the Purposes of their Water Supply, and in addition to the daily Quantity of 1,500,000 Gallons by this Act provided for, any further Quantity not exceeding 2,500,000 Gallons in any One Day.

Company may require Certificate of completed Storage Works.

38. If and when the Company provide for the further Protection and Benefit of the Mill Owners, (either by the Enlargement or Extension of the present or then existing Compensation Reservoirs, or further Storage Works, or by new Storage Works, or by both these Means), further Storage Works upon or contiguous to the Churnet or any Stream tributary thereto, and proper and sufficient for the regulated Discharge of Water therefrom into the Churnet above the Churnet Mills, then the Company may give to the Mill Owners Notice in Writing thereof, specifying the Capacity of the then completed further Storage Works, and requiring that the same shall be inspected by the Mill Owners Engineer, and within One Month thereafter he shall inspect and examine the same.

Certificate of Completion of additional Works to be given by Mill Owners Engineer.

39. On the Mill Owners Engineer being satisfied that the further Storage Works are proper and sufficient for the Purposes of this Act, he shall certify the same and the Capacity thereof to the Mill Owners and the Company respectively; and the Certificates shall be in Writing signed by him, and shall specify the Quantity of Water which the further Storage Works are capable of containing, and he shall deliver the Certificates within 42 Days after the Day on

which the Company delivered their Notice and Requisition to the Mill Owners.

In his Default by Arbitrator.

40. If the Mill Owners Engineer fail to deliver his Certificate to the Company within the 42 Days, or the Company are dissatisfied with his Certificate, the Question as to the Propriety, Sufficiency, and Capacity of the further Storage Works shall be determined between the Company on the one hand and the Mill Owners on the other hand, by the Arbitration pursuant to the Provisions as to Arbitration of "The Lands Clauses Consolidation Act, 1845," of a single Arbitrator, being a Civil Engineer, to be agreed on between the Company and the Mill Owners, or, failing their Agreement, to be on their or either of their Application appointed by the Board of Trade.

On Certificate, Company may abstract further Water.

41. In every Case, after the Propriety, Sufficiency, and Capacity of any further Storage Works are certified by the Mill Owners Engineer or determined by the Arbitrator, and if that Capacity be not less than 60,000,000 Gallons, the Company may abstract and take, in respect of the respective further Storage Works, from the Springs or Streams by the recited Act and this Act respectively authorized to be taken and used by them for the Purposes of their Water Supply, and in addition to the daily Quantity which they may then take and use, any further daily Quantity not exceeding $\frac{1}{120}$th Part of the Quantity of Water which the respective further Storage Works shall be certified to be capable of holding.

Provisions extended to further Storage Works.

42. From and after the Time when the Company, in accordance with this Act, begin to take and use any additional Quantity of Water, in respect of any further Storage Works, all the Powers and Provisions of this Act with respect to the present Compensation Reservoirs, and the Canal Owners and the Mill Owners and the Company respectively in respect of the same, shall extend and apply to the respective further Storage Works and the Canal Owners and the Mill Owners and the Company respectively in respect of the same.

Notices to Mill Owners.

43. All Notices given by the Company to the Mill Owners for the Purposes of this Act may be given to them by leaving the same at each of the Churnet and Dove Mills for the Owner and Occupier of the same.

Company to pay Mill Owners Engineers.

44. The Company shall pay the reasonable Charges of the Mill Owners Engineers, and of the Arbitrator, if any, with respect to the inspecting, examining, and certifying of the further Storage Works.

Not to take certain Lands of John Nixon after Six Months.

45. This Act shall not authorize the Company to take, otherwise than by Agreement, any Lands or Springs belonging to John Nixon, unless the Company shall give Notice to him to treat and agree for the Purchase of such Lands and Springs within Six Months after the passing of this Act.

Protection of North Staffordshire Railway Works, § 46.
Saving Rights of Leek Improvement Commissioners, § 47.

Cap. cxlvii.

"The Great Southern and Western Railway Extension Act, 1861."

Preamble recites that it is expedient to enable the Great Southern and Western Railway Company to make a Railway from Roscrea in the County of Tipperary to Birdhill in the same County.
Incorporation of Consolidation Acts, § 2.
Power to make Railway, § 3.
Three Years for compulsory Purchase of Lands, § 7.
Five Years for Completion of Works, § 8.
Mode of effecting Communication with the Killaloe Extension, §§ 10, 11.
Saving Rights of Limerick and Castle Connell Company, § 13.
Tolls, §§ 14, 15.
Power to raise additional Capital of 210,000*l.*, § 17.
New Shares created under this Act may be preferential Shares, § 19.
Power to borrow 70,000*l.*, § 24.

Cap. cxlviii.

"The Great Southern and Western Railway (Capital, &c.) Act, 1861."

Preamble recites the various Acts relating to the Company, and that their authorized Capital consists of the following Amounts, namely, ordinary Stock, 3,511,535*l.*, of which 3,438,609*l.* have been paid up, and Four per Centum Preference Stock 1,329,100*l.*, of which 1,328,924*l.* have been paid up; and that their authorized Mortgage Debt amounts to 332,965*l.*; and that it is expedient that the Company should be authorized to raise further Sums; also that various Matters of Difference between the Company and the Midland Great Western Railway of Ireland Company were in the Year 1859 submitted to Arbitration, and an Award has been made in pursuance of such Submission, and by such Award it is amongst other Things directed that the Company shall acquire and take certain Shares now held by the Midland Company in the Capital created by the Limerick and Castle Connell Railway Company under the Authority of the "Limerick and Castle Connell Railway (Killaloe Extension) Act, 1858," and it is expedient to enable the said Companies to carry out the said Portion of the said Award; also that the Company require additional Lands for the Purpose of enlarging their Station at Mallow and their Works at Inchicore, and it is expedient that the Company should be enabled to acquire additional Lands for those Purposes.
Certain Provisions of the Companies Clauses Consolidation Act, 1845, extended to this Act, § 2.
Power for Company to raise additional Capital of 280,000*l.*, § 3.

New Shares created under this Act may be issued with a Preference, § 4.
Power to borrow 50,000*l.*, § 9.
Restrictions on Transfer of Stock of Company, § 13.
Power to the Midland Company to transfer to the Company the Extension Shares or Stock held by them in the Undertaking of the Limerick and Castle Connell Railway, §§ 14, 15.
Incorporation of Railways Act, Ireland, 1851, &c., § 16.
Power to take Lands, § 17.

Cap. cxlix.

"The Greetwell District Drainage Act, 1861."

Preamble recites that the Low Lands or Fens of the Parishes of Greetwell, Cherry Willingham, Barlings, and Fiskerton in the County of Lincoln, and in the Liberty of the Monks adjoining the City of Lincoln, are insufficiently drained, by reason whereof the Value of those Lands is much diminished; that the Lands lie on the Northern Side of the River Witham, which is under the Jurisdiction of the General Commissioners of Drainage by the River Witham; that they might be effectually drained if the Waters thereof were conveyed to the lowest Level in Fiskerton, and thence through or over the Northern Bank of the River Witham into that River; that it would be of public Benefit as well as of great Advantage to the Owners and Occupiers of the Lands if Provision were made for the Drainage thereof accordingly under Commissioners, and they were authorized to levy Drainage Rates and raise Monies for the Purpose, and to exercise other Powers usually vested in Drainage Commissioners.
Incorporation of Lands Clauses Acts and Part of Commissioners Clauses Act, § 2.
Limits of Act; "the District," § 4.
The Greetwell District Drainage Commissioners incorporated, § 5.
Qualification of Commissioners, § 6.
Copyhold and Leasehold to qualify, § 7.
Only One of several Joint Owners, &c. to be qualified, § 8.
Meetings of Commissioners, Auditors, &c., §§ 9 to 21.
Power for Commissioners to purchase Lands by Agreement and to make Works, §§ 22, 23.
Commissioners not to interfere with Bank of River Witham without Consent, § 24.
Commissioners to contribute towards Expense of maintaining certain Portion of the River Witham, § 25.
Commissioners to maintain North Delph, § 26.
Saving Rights of the Great Northern Railway Company, § 27.
Drainage by the River Witham not to be hindered or obstructed, § 28.
General Drainage Works in the District, § 29.
Width of new Cuts at Bottom, § 30.
Commissioners to have Management of all Drainage in District, § 31.

Commissioners to make Compensation for Damage, § 32.
Works of internal Drainage to be kept open by Owners or Occupiers of Land, § 33.
Or by Commissioners in default of Owners or Occupiers, § 34.
When new Drains completed, Rights of Drainage through old Channels to close, § 35.
Power to destroy Vermin, § 36.
Byelaws of Commissioners, §§ 37 to 45.
Penalty on throwing Rubbish into the Drains, § 46.
Commissioners to appoint Valuer to value probable Improvement of Lands by Drainage, § 48.
Valuer may classify Lands, § 49.
Valuer to prepare Office Plan showing Main Drains, § 50.
Valuer to have regard to existing Liabilities, &c., § 51.
Valuer's Statement and Office Plan to be delivered to Clerk, and Notice thereof advertised, § 52.
Owners, &c. may object on giving Notice, and Valuer to hear and determine Objections, § 53.
Appeal from Valuer to Commissioners, § 54.
Appeal from Commissioners to Quarter Sessions, § 55.
Appeal from Valuer to Quarter Sessions, § 56.
Quarter Sessions to hear Appeals and decide, § 57.
Validity of Determination of Valuer, Commissioners, and Quarter Sessions, § 58.
Validity of Valuer's Statement and Office Plan, § 59.
Maps, Plans, &c., §§ 60 to 67.
Power for Commissioners to rate Lands in District, § 68.
Regulations as to Assessment and Recovery of Rates, §§ 69 to 84.
Power for Commissioners to borrow on Mortgage of Rates, and re-borrow; Regulations as to Mortgages, §§ 85 to 91.
Application of Monies borrowed, § 92.
Application of Revenue, § 93.
Procedure; Notices, &c., §§ 94 to 99.
Lands in District exempt from Jurisdiction of Commissioners of Sewers, § 100.
Saving Rights of other Drainage Commissioners, § 101.
Act not to affect Liability of other Persons to cleanse Drains, &c., § 102.
Schedules (Forms).

Cap. cl.

"The Manchester and Milford Railway (Aberystwith Branch) Act, 1861."

Preamble recites that it is expedient to enable the Manchester and Milford Railway Company to construct a Branch Railway from the Devil's Bridge to Aberystwith; and that the Company, and the London and North-western, the Great Western, and the Llanidloes and Newtown Railway Companies should be enabled to enter into Working and Traffic and Station Arrangements.
Incorporation of Consolidation Acts, § 2.
Three Years for completing Purchase of Lands, § 5.

Five Years for completing Railway, § 6.
Railway and Works authorized; Power to make Traffic Arrangements and Working Agreements with above-mentioned Companies, §§ 9 to 14.
Power to Company to increase their Share Capital by 111,000*l.*, § 16.
Power to borrow 37,000*l.*, § 17.
Power to Llanidloes and Newtown Railway Company to subscribe and hold Shares in Undertaking and raise Capital for the Purpose, §§ 21 to 23.

Cap. cli.

"The Grand Junction Waterworks Act, 1861."

Preamble recites that it is expedient to extend the Limits of the Company's Supply of Water.

Company's Limits of Supply of Water extended, but not to Places herein named.

2. The Limits within which the Company may supply Water are by this Act extended so as to comprise the following Parishes or Places in addition to the Company's present District; that is to say, Chiswick, Acton, Isleworth, Twickenham, Teddington, Hampton, Hampton Wick, Hampton Court, Bushy Park, Whitton, and Hanworth, all in the County of Middlesex, provided that those Limits do not comprise the following Parts of the following Parishes; that is to say,

So much of the Parish of Isleworth as lies within 100 Yards South of the Hounslow Road, between the East Boundary of Feltham and the River Brent; and all that Part of the Parish of Isleworth which lies North of the Hounslow Road:

So much of the Parish of Ealing as lies North of Little Ealing in a straight Line between Boston House and Fordhook House.

Company may lay down, &c. Mains, &c., § 3.
Provisions of Metropolis Water Act, 1852, extended to this Act, § 4.
Provisions of Act of 1852 for the Metropolis Roads extended to this Act, § 5.
Water Rates for Supply under this Act, § 6.
Day for General Meeting, § 7.
Saving Rights of West Middlesex Waterworks Company, § 8.

Cap. clii.

"The Wolverhampton New Waterworks Act, 1861."

Preamble recites that by "The Wolverhampton Waterworks Act, 1845," and "The Wolverhampton Waterworks Amendment Act, 1850," the Wolverhampton Waterworks Company, herein-after called the old Company, was incorporated, and authorized to make and maintain Works for supplying with Water the Inhabitants of the Town of Wolverhampton and certain other adjacent Townships in the Parish of Wolverhampton, and certain other Parishes in the County of Stafford; and that by "The Wolverhampton Waterworks Act, 1855," the Wolverhampton New Waterworks Company

was incorporated, with Power to make and maintain Works for the Supply of Water to the Town and Parish of Wolverhampton and the Suburbs thereof, and to certain other Parishes in the Counties of Stafford and Salop therein mentioned; and that by "The Wolverhampton Waterworks Transfer Act, 1856," the Undertaking of the old Company was, in pursuance of certain Agreements therein mentioned to have been made between the old Company and the new Company, transferred to the new Company, subject to a Debenture Debt of 17,300*l.*, from which the new Company agreed to indemnify the old Company, the Consideration for such Transfer being, that the new Company should pay to the old Company, by way of yearly Rents, a Sum varying from 3*l.* per Centum to 5*l.* per Centum on 46,246*l.*; and that the Share Capital of the new Company, amounting to 100,000*l.*, has all been paid up, with the Exception of 500*l.* thereof, and the Sum authorized to be borrowed by them has been taken up on Mortgage, and the whole of such Sums have been expended in the Objects and for the Purposes of the Acts by which they are incorporated and regulated; and it is expedient that further Power should be given to them for raising Monies for the Purposes of the recited Acts and of this Act.

Power to raise 30,000*l.* by new Shares, § 2.
Creation and Appropriation of Shares, §§ 3 to 9.
Power to borrow 7,500*l.*, §§ 12, 13.
Provisions of Companies Clauses Act incorporated, § 15.
Constant Supply of Water under Pressure within the Municipal Borough of Wolverhampton, except the Part Eastward of the Mining Fault, § 16.
As to Supply of Water to Corporation, Local Board of Health, &c.; Expenses of Fireplugs; Corporation to pay 400*l.* a Year until Company's Profits amount to 6 per Cent., § 17.
Costs of Fireplugs in new Situations to be borne by Corporation, § 18.
Continuing Provisions for Purchase by the Corporation, § 19.
Corporation liable to Penalties, &c. for Waste, § 20.
Saving Rights of old Company, § 21.

Cap. cliii.

"The Great North of Scotland Railway Amendment Act, 1861."

Preamble recites that in 1859 the Provisions of the former Acts relating to the Great North of Scotland Railway Company were amended and consolidated; that Part of the Undertaking of the Company consists of a Branch Railway called the Dock Branch, which joins the Main Line at Kittybrewster, and terminates in Aberdeen at the Victoria Docks, and at the Passenger and Goods Station of the Company there, called "the Waterloo Station;" that the said Main Line of Railway is for the most Part a single Line only, and the said Dock Branch is entirely so, but the Company have recently doubled their Main Line between Dyce

and Kittybrewster, and it is necessary for the proper Accommodation of their Traffic that a Double Line of Rails should also be laid down on the said Branch Railway, and that its Gradients should be improved; that the Accommodation which the Company's Kittybrewster Station and Waterloo Station afford is insufficient to meet the Requirements of the Traffic, and it is expedient that the Company should have Power to enlarge those Stations, and for that Purpose to purchase additional Property near to the said respective Stations.

Incorporation of Consolidation Acts, § 2.
Power to construct Works, §§ 3, 4.
Soil of Roads vested in Company, § 5.
Works to form Part of Company's Undertaking, § 6.
Lands to be bought by Compulsion in Three Years, § 7.
As to Lands of Mr. Leslie, § 8.
Confirmation of Agreement with Messieurs Robinson, Crum, and Company, § 9.
Five Years for Completion of Works, § 10.

Cap. cliv.

"Fylde Waterworks Act, 1861."

Preamble recites that the Inhabitants of Kirkham, Lytham, Blackpool, Fleetwood, Poulton, Rossall, Garstang, Southshore, and Bispham, in the County Palatine of Lancaster, are insufficiently supplied with Water; and that the Means of supplying Water to Shipping resorting to Fleetwood and Lytham respectively are insufficient; and that the Persons in this Act named, with others, are willing, at their own Expense, to provide the requisite Supply of Water, and to make and maintain Waterworks for the Purpose.

Incorporation of Consolidation Acts, § 2.
Limits of Act for Supply of Water, § 4.
Fylde Waterworks Company incorporated, with Capital of 60,000*l.*, and Power to borrow 15,000*l.*, §§ 5, 6, and 8.
Application of Monies, § 10.
Meetings; Directors; Advertisements, &c., §§ 11 to 14.
Power to take Lands and Waters for Purposes of Act, § 15.
Four Years for compulsory Purchase of Lands, § 16.
Power to take Water from Grizedale Brook, § 17.
Lands for extraordinary Purposes and Streams and Waters may be taken by Agreement, § 18.
Owners may grant Easements, § 19.
Power to make Waterworks, §§ 20 to 22.
Execution of Works affecting Railways and Docks, § 23.
Restrictions upon breaking up Streets, § 24.
For Protection of the Preston and Wyre Railway, Harbour, or Dock, § 25.
For Protection of the Nether Wyersdale Estate, § 26.
Six Years for Completion of Works, § 27.
Power of Justices to order Inquiry into State of Reservoirs, §§ 28 to 36.
Supply of Water under Pressure, § 38.
Supply of Water to Tenements in a Row, § 39.

Rates for Supply of Water for domestic Purposes, §§ 40 to 42.
Rates for Supply to Shipping, § 44.
Water for other than domestic Purposes and Shipping to be supplied by Agreement, § 45.
Regulations for Supply of Water, §§ 46 to 48.
Recovery of Sums not exceeding 50*l.*, §§ 49 to 52.

Cap. clv.

"The Blackburn Waterworks Act, 1861."

Preamble recites that by "The Blackburn Waterworks Act, 1845," the Blackburn Waterworks Company were incorporated and authorized to construct Waterworks for supplying the Inhabitants of the Town and Neighbourhood of Blackburn with Water; that they have constructed a Reservoir at Daisy Green, another at Pickup Bank, another at Guide, Two others at or near Audley, and another at Hoddlesden, in the Parishes of Blackburn and Whalley, and by means of such Reservoirs and of the Conduits and Works in connexion therewith have supplied Water to the said Town and Neighbourhood, and provided Compensation to Mill Owners and others; that the Water which by means of the said Reservoirs the Company can impound and make available for the Purposes of the Town and Neighbourhood is greatly insufficient for the increasing Wants of the Town and Neighbourhood, and it is expedient that the said Company should be authorized to construct additional Reservoirs near the Guide and Hoddlesden Reservoirs, and connecting Aqueducts with the Hoddlesden and Pickup Bank Reservoirs and other Works, and increase their Supply; that the additional Quantity of Water procurable by such Means would enable the said Company to supply with Water not only the Town and Neighbourhood of Blackburn, but also the Townships of Lower Darwen, Livesay, Witton, Oswaldtwistle, and Little Harwood, or Parts thereof respectively, and it is expedient that the said Company should be authorized to supply Water within those Townships; that by the recited Act and by "The Blackburn Waterworks Act, 1849," the said Company were authorized to raise 60,000*l.* by the Creation of Shares, and 19,666*l.* by Mortgage, with Power to convert their Loans into Share Capital; that they raised the 60,000*l.* by the Creation and Issue of 6,000 Shares of 10*l.* each, and exercised their Powers of borrowing to the Extent of 19,400*l.* or thereabouts; that for the Purpose of converting their Loans into Capital they created 3,000 Shares of 6*l.* 10*s.* each, whereof 33 Shares were never issued, and the other 2,967 Shares, representing Capital to the Amount of 19,285*l.* 10*s.*, were issued at a Premium of 2*l.* 12*s.* each, and there remains due to the Company, in respect of Capital and Premium upon such Shares, 2*l.* 2*s.* per Share, and Mortgages of the said Company remain undischarged to the Amount of 12,250*l.*; that the said Company have expended upon their Under-

taking, and chargeable to Capital Account, the full Amount of Money which they were authorized to raise under the recited Acts, and have moreover incurred Liabilities chargeable to Capital Account, besides the Sums due from them on Mortgage, and it is expedient that they should be authorized to raise more Money, as well for paying off such Liabilities as other Purposes, and that they should be empowered to create Debenture Stock, and that the Provisions of the said Acts should be consolidated and amended.

Incorporation of Consolidation Acts, § 1.
Repeal of Acts, § 3.
Company re-incorporated, § 4.
Waterworks, &c. vested in Company, § 5.
Saving Rights and Liabilities of Company under repealed Acts, §§ 7 to 11.
Capital, § 13.
Saving Rights, &c. in respect of old Shares, § 14.
Providing for uncalled Part of Shares and Premium, § 15.
Power to create new Shares and to attach Preference, § 16.
Dividends on new Preference Shares how to be paid, § 17.
Power to borrow Money on Mortgage, 25,000*l.*, § 20.
Application of Money raised by Shares or Mortgages, § 22.
Power to raise Money by Debenture Stock, § 23.
Preference on Debenture Stock, § 24.
Transfer of Debenture Stock, §§ 25, 26.
Mortgages may be taken in exchange for Stock, § 27.
Application of Monies raised, § 28.
Mortgaging Powers to cease to the Extent of Sums raised by Debenture Stock, § 29.
When the Books of the Company are made up a Copy of the Balance Sheet to be sent to the Corporation, § 30.
Meetings; Directors; Advertisements, &c., §§ 31 to 38.
Power for Company to make new Waterworks and take Lands for the Purpose, §§ 40, 41.
Limits of Deviation, § 42.
Grants of Easements, § 43.
Five Years for compulsory Purchase of Lands, § 44.
Power of Justices to order Inquiry into State of Reservoirs, §§ 45 to 54.
Quantity of Water to be discharged for Compensation; Regulations, §§ 55 to 68.
For Protection of certain Property in the Township of Over-Darwen, § 69.
Works to be constructed for intercepting noxious Fluid Matter from Vale Rock Mill and Houses, § 70.
For protecting the Supply of Water to Blackburn Old Mill, § 71.
Penalty for Refusal to act, § 72.
Limits of Act for Water Supply, § 73.
Rents for domestic Supply, § 74.
Valuation to be according to the Assessment to the Poor's Rate, § 75.
Definition of domestic Purposes, § 76.
Charge for Waterclosets, &c., 77.
For preventing the fouling of Water, § 78.

Supply of Water for other than domestic Purposes, § 79.
Penalty for using Water for other than domestic Purposes without Agreement, § 80.
Recovery of Rents, §§ 81, 82.
Power to lease the Water Rates, § 83.
Regulations against Contamination by Gas Pipes, §§ 84 to 88.
For Protection of the Blackburn Gaslight Company, § 89.
Notice to Gas Company before opening Trenches, § 90.
Saving the Rights of the Blackburn Gaslight Company and Corporation of Blackburn, § 91.

Cap. clvi.

"The Trent, Ancholme, and Grimsby Railway Act, 1861."

Preamble recites that a Railway from the River Trent, near Keadby, across the River Ancholme, and joining the Manchester, Sheffield, and Lincolnshire Railway at Barnetby-le-Wold, would be very beneficial to the Mineral District which it would traverse, and would be of public Advantage by effecting a Communication between the said District and the Trent on the one hand and the Port of Grimsby on the other hand; that great Progress has been made in the Construction upon the Land of Charles Winn, Esquire, and at the Expense of his Lessees, Messieurs William Henry Dawes and George Dawes, of so much of the said Railway as will lie between the Rivers Trent and Ancholme; and that it is expedient that the South Yorkshire Railway Company, with whose Undertaking the said Railway is intended to be connected at its Western End, and the Manchester, Sheffield, and Lincolnshire Railway Company, whose Undertaking the intended Railway will join at its Eastern End, should be authorized to enter into Arrangements with respect to the working and Management of the intended Railway.
Incorporation of Consolidation Acts, § 1.
Subscribers incorporated, with Capital of 120,000*l.*, and Power to borrow 40,000*l.*, §§ 2, 3, and 8.
As to Allotment of Shares to Mr. Winn, § 4.
As to Expenditure by Messrs. Dawes, § 5.
As to Allotment of Shares to them, § 6.
Meetings; Directors, §§ 9 to 14.
Power to make Railway, §§ 15 to 18.
Lands to be bought by Compulsion within Two Years, § 19.
Four Years for Completion of Works, §§ 20, 21.
Communication with Manchester, Sheffield, and Lincolnshire Railway, §§ 22 to 25.
Level Crossings, §§ 26 to 29.
Saving Jurisdiction of Commissioners of Sewers for the Wapentakes of Manley, Corringham, and Aslacoe, § 30.
Company required to repair any specific Damage, § 31.
Company to keep Works in repair, and make good any Damage hereafter, § 32.
Saving Rights of the Ancholme Commissioners, § 33.
Height and Width of the Bridge over the Ancholme, § 34.

Penalty for obstructing Ancholme Navigation during building of Bridge, § 35.
Protection of Ancholme Drainage Works, §§ 36 to 41.
Reserving Powers of Warping, § 42.
Tolls, §§ 43 to 51.
Tolls may be taken by other Companies subject to Working Agreement, § 52.
As to Agreements with Mr. Winn, § 53.
Power to enter into Traffic Arrangements with Manchester, Sheffield, and Lincolnshire, and South Yorkshire Railway Companies, § 54.
Conditions of such Agreements, § 55.

Cap. clvii.

"The Stockton and Darlington Railway (Capital) Act, 1861."

Preamble recites the 1 & 2 Geo. 4. c. xliv. and other Acts relating to the Company; and that by "The Stockton and Darlington Railway (Amalgamation) Act, 1858," several Acts relating to the Stockton and Darlington Company were repealed, and the Company were re-incorporated by their original Name of Incorporation; and the respective Shareholders of the Wear Valley Railway Company, the Middlesbrough and Redcar Railway Company, the Middlesbrough and Guisbrough Railway Company, the Darlington and Barnard Castle Railway Company, and the Stockton and Darlington Company respectively, were made Members of the Stockton and Darlington Company; and the several Railways, Docks, Works, and Property of the Five Companies respectively were vested in the Stockton and Darlington Company as their original Undertaking; and the Debts of the Five Companies respectively were made payable by the Stockton and Darlington Company; and the Capital of the Stockton and Darlington Company was declared to be the aggregate of the following Amounts; that is to say,

	£
1st.—Class A. Preferential Share Capital - -	450,000
2dly.—Class B. Preferential Share Capital, consisting of - - - - - - -	849,950
And any Capital created by the Conversion into Capital of the Wear Valley Company's Debt of 40,000*l.*	
And the Redcar Company's Debt of 22,000*l.*	
3dly.—Class C. Preferential Share Capital -	178,000
And any Capital created by the Conversion into Capital of the Barnard Castle Company's Debt of 68,000*l.*	
4thly.—Any other Preferential Share Capital, created under the reciting Act or any other Act of the same Session.	
5thly.—Ordinary Share Capital - - -	1,000,000
And any other Ordinary Share Capital created under the reciting Act or any other Act of the same Session.	

And it was enacted that 8,000 Shares, Part of the Stockton and Darlington Company's Ordinary Share Capital of 1,000,000*l.*, should be deemed paid up to the Extent of 16*l.* 5*s.* a Share; and the Stockton and Darlington Company were authorized to agree for Surrenders of Preferential Shares; and to create Ordinary Shares and exchange them for Preferential Shares; and to create Ordinary Shares for Reduction or Extinction of Debt; and Provision was made for borrowing and reborrowing by the Stockton and Darlington Company, and for paying off Portions of their Debt of 572,592*l.*, and for borrowing and reborrowing, for paying off the several Debts of the Wear Valley Company, the Redcar Company, and the Barnard Castle Company respectively, amounting together to the aggregate Sum of 130,000*l.*, and for the Application by the Stockton and Darlington Company of Monies for discharging their own Debts; also that by "The Stockton and Darlington Railway (North Riding Lines) Act, 1858," the Stockton and Darlington Company were authorized to make additional Lines of Railway, and to raise by Shares 45,000*l.*; and by "The Stockton and Darlington Railway (Durham Line, &c.) Act, 1858," the Company were authorized to make another Line of Railway and other Works, and to raise by Shares the aggregate Sum of 335,000*l.*; and by "The Stockton and Darlington Railway Act, 1859," the Company were authorized to make another Line of Railway; and by "The Stockton and Darlington Railway Act, 1860," to raise by Shares 250,000*l.*, and to borrow 83,000*l.*; and that the Company's Class A. Preferential Share Capital of 450,000*l.* is fully paid up; and the Company have created 50*l.* of Class B. Preferential Share Capital, making the total Amount of that Preferential Share Capital 850,000*l.*, which is fully paid up; and they have created 22,000*l.* Class C. Preferential Share Capital, making the total Amount of that Preferential Share Capital 200,000*l.*, which is fully paid up; and that the Company's Wear Valley Debt of 40,000*l.* has been reduced to 15,849*l.*, and their Redcar Debt of 22,000*l.* has been reduced to 11,630*l.*, and their Barnard Castle Debt of 68,000*l.* has been reduced to 26,748*l.*; and that the 8,000 Shares of the Company's Ordinary Share Capital of 1,000,000*l.*, deemed paid up to the Extent of 16*l.* 5*s.* a Share, have been fully paid up; and that none of the Preferential Shares of the Capital of the Stockton and Darlington Company have been surrendered, and they have not created any Ordinary Share to be exchanged for a Preferential Share; nor have they applied any Ordinary Shares to the Reduction or Extinction of Debt; and that the Company's Debt of 572,592*l.* has been reduced to 518,119*l.*; also that under the Authority of the North Riding Lines Act, 1858, the Stockton and Darlington Company have created ordinary Capital to the Amount of 45,000*l.*; and under the Authority of the Durham Line, &c. Act, 1858, they have created ordinary Capital to the Amount of 335,000*l.*; and under the Act of 1860 they have created ordinary Capital to the Amount of 250,000*l.*, and ordinary Capital to the Amount

of 83,000*l.*, by way of Conversion of Loan into Capital; and that the Stockton and Darlington Company's authorized Capital stood on the 1st Day of December 1860 as follows: that is to say,

Preferential Capital.	£	*s.*	*d.*
Class A. Preferential Share Capital -	450,000	0	0
Class B. Preferential Share Capital -	850,000	0	0
Class C. Preferential Share Capital -	200,000	0	0
Total - - - -	1,500,000	0	0

Which is all fully paid up.

Ordinary Capital.	£	*s.*	*d.*
Under "the Amalgamation Act of 1858" - - - - - -	1,000,000	0	0
Under "the North Riding Lines Act of 1858" - - - - - -	45,000	0	0
Under "the Durham Line, &c. Act of 1858" - - - - - -	335,000	0	0
Under the Act of 1860 - - -	333,000	0	0
Total - - - -	1,713,000	0	0
Which is paid up to the Amount of -	1,034,418	4	10
Leaving unpaid - -	£ 678,581	15	2

Total Capital.	£	*s.*	*d.*
Preferential Capital - - - -	1,500,000	0	0
Ordinary Capital - - - -	1,713,000	0	0
Total - - - -	3,213,000	0	0
Paid up - - - - - -	2,534,418	4	10
To be paid up - - -	£ 678,581	15	2

and that the Stockton and Darlington Company's Debenture Debts stood on the 1st Day of December 1860 as follows; that is to say,

	£
Wear Valley - - - - - - -	15,849
Redcar - - - - - - - -	11,630
Barnard Castle - - - - -	26,748
Stockton and Darlington - - - -	518,119
Total - - - - -	£ 572,346

and that it is expedient that, for the Purpose of enabling the Company to lay down additional Lines of Rails on Parts of their Railway, and to provide additional Rolling Stock, Sidings, Stations, and other Conveniences in connexion with their Undertaking, and for the general Objects of their Undertaking, they should be empowered to raise further Monies.

Incorporation of Part of Companies Clauses Act, § 2.
Power to create additional Capital of 220,000*l.*, § 4.
New Capital to be subject to same Incidents as ordinary Capital, § 5.
Calls, § 6.
Restrictions as to Votes for newly-acquired Shares, § 7.
Power to borrow an additional Sum of 67,000*l.*, § 8.
Priority of existing Mortgages, § 9.

Cap. clviii.

"The Leven and East of Fife Railway Act, 1861."

Preamble recites that the Leven Railway Company were, by "The Leven Railway Act, 1852," incorporated for the Purpose of making a Railway from the Edinburgh, Perth, and Dundee Railway at Thornton Junction to the Town of Leven, with certain Branch Railways, and were by the said Act authorized to raise 23,000*l.* by creating 2,300 Shares of 10*l.* each, and to raise 5,000*l.* by borrowing on Bond or Mortgage; that the East of Fife Railway Company were by "The East of Fife Railway Act, 1855," incorporated for the Purpose of making a Railway from the Leven Railway at the Town of Leven to the Town of Kilconquhar, and were authorized to raise 32,000*l.* by creating 3,200 Shares of 10*l.* each, and to raise 10,600*l.* by borrowing on Bond or Mortgage, and by the "East of Fife Railway Deviation Act, 1856," were authorized to deviate the Line authorized by their Act; that the Leven Railway and the East of Fife Railways have been constructed and opened to the Public, and form One continuous Railway, and are worked together under an Agreement between the Companies; that a Bill had been brought into Parliament to authorize the said Companies jointly to extend the East of Fife Railway to Anstruther, and to raise the necessary Capital for that Purpose; that the Lines of Railway of the Leven Company and the East of Fife Company already constructed and the intended Extension of the East of Fife Railway together form One continuous Railway from the Thornton Junction of the Edinburgh, Perth, and Dundee Railway Company to Anstruther in the East of the County of Fife; that it would be for the public Advantage, and the Advantage of the Companies, that the said Railways, and the intended Extension of the East of Fife Railway to Anstruther, should be permanently united under One Management, and the said Companies have agreed that their Undertakings should be amalgamated on the Terms and Conditions herein-after specified, and in order thereto it is expedient that the Leven Company and the East of Fife Company be amalgamated into One Company; that the Leven Company have issued all the 2,300 Shares of 10*l.* each authorized to be raised by them, and the same have been paid up; that the Leven Company have borrowed on Bond or Mortgage the Sum of 5,000*l.*; that the East of Fife Company have issued all the 3,200 Shares of 10*l.* each authorized to be raised by them,

and the same have been paid up, and the East of Fife Company have borrowed on Bond or Mortgage the Sum of 10,600*l.*; that the Leven Company in constructing their said Railway have contracted Debts and Liabilities to the Extent of 14,000*l.*, and the East of Fife Company have contracted Debts and Liabilities to the Extent of 3,000*l.*, over and above the Sums they were respectively authorized to raise by their said Acts, and it is expedient that the united Company should be authorized to create additional Capital for the Purpose of defraying the same; and it is expedient that the Capital of the Company to be formed by the Amalgamation should be regulated.

Incorporation of Consolidation Acts, § 2.
Dissolution of the Two Companies, § 5.
Property and Rights of Two Companies vested in Company, § 6.
Re-incorporating the Shareholders of the Leven Company and of the East of Fife Company, § 7.
Dissolved Companies to subsist for Payment of Dividends for Half Year, § 8.
Acts relating to dissolved Companies to apply to united Company, § 9.
Rights and Liabilities of dissolved Companies reserved, §§ 10 to 24.
General Meetings; Directors, &c., §§ 25 to 34.
Proprietors of Shares in the Two Companies to be Proprietors of Shares in the Company, § 35.
Capital of the Company defined, but the Capital of the Two Companies to be kept separate, § 36.
Loan Capital of united Company, § 37.
Power to raise Money to pay off Leven Debts, § 38.
Power to raise Money to pay off East of Fife Debts, § 39.
How Capital to be issued, § 40.
Appropriation of Profits, and ranking of Parties entitled to participate therein, § 41.
Division and Appropriation of Revenue of united Company, § 42.
Dividends to be declared out of Profits appropriated to each Class of Proprietors, § 43.
The Mortgage and other Debt of each Company to be kept distinct, § 44.
Powers of existing Companies to raise further Share and Loan Capital vested in united Company, § 45.
Mortgages and Bonds of separate Companies to be a Charge on united Undertaking, § 46.
Dividends for the Half Year ending 31st July 1861 to be declared and paid by the Companies as if this Act had not passed, § 47.
Certificate of Shares in separate Companies to be exchanged for Certificates of Shares in united Company, § 48.
Working Agreement between Companies to terminate on 31st July 1861, § 49.
Tolls, § 50.

Cap. clix.

" The Leven and East of Fife Railway (Extension) Act, 1861."

Preamble recites that by "The Leven Railway Act, 1852," the Leven Railway Company were incorporated for the Purpose of making a Railway from the Edinburgh, Perth, and Dundee Railway at Thornton Junction to the Town of Leven, with certain Branch Railways; and by "The East of Fife Railway Act, 1855," and "The East of Fife Railway (Deviation) Act, 1856," the East of Fife Railway Company were authorized to make a Railway from the Leven Railway at the Town of Leven to Broomlees Tilework in the Parish of Kilconquhar, to be called "The East of Fife Railway;" that the Main Line authorized by "The Leven Railway Act, 1852," and the East of Fife Railway have been completed and opened to the Public, and they form a continuous Line of Railway, and it would be of great local and public Advantage if the said Companies were jointly authorized to extend the East of Fife Railway to Anstruther, and for that Purpose to raise additional Capital in their Undertakings by means of Shares, with or without Preference or Guarantee of Payment of Dividend, and by borrowing.

Incorporation of Consolidation Acts, § 3.

Power to the Companies to execute Works, § 4.

Contracts made by Joint Committee to bind Companies, § 5.

Regulations as to Joint Committees, §§ 6 to 11.

Power to execute Works, § 12.

Line of Railway, § 13.

Part of Main Line not to be constructed, § 14.

Diversion of Railway may be made with Consent of Owners and Occupiers of Lands, § 15.

Admiralty Provisions, §§ 16 to 21.

Two Years for compulsory Purchase of Lands, § 23.

Four Years for Completion of Works, § 24.

Tolls, § 26.

Money to be raised for Purposes of Act, § 27.

Extension to belong equally to the Companies, § 28.

Power to Leven and East of Fife Companies to raise Money for the above Purposes, § 29.

Dividends on new Shares in Companies how to be paid, § 30.

Power to each Company to borrow 6,600*l.*, § 33.

Provisions of Companies Clauses Act applicable to both Companies, § 35.

Arrangements as to Dues with Magistrates of Royal Burghs, § 38.

If Companies amalgamated, Powers vested in amalgamated Companies, § 39.

Cap. clx.

" The Airedale Drainage Act, 1861."

Preamble recites that the Drainage of divers Lands in Airedale, adjoining and near to the River Aire in the West Riding of the County of York is defective, and thereby the Value

thereof is much diminished, and the Health of the Inhabitants of the adjacent Places and Districts is thereby prejudicially affected; and that it would be of public Benefit, as well as of great Advantage to the Owners and Occupiers of the Lands, if Provision were made for the Drainage thereof, under the Management of Commissioners, and the Commissioners were authorized to levy Drainage Rates and raise Monies for the Purpose, and exercise other Powers usually vested in Drainage Commissioners.

Incorporation of Lands Clauses, § 2.

Limits of Act.

4. The Limits of this Act comprise such of the Lands in the several Parishes, Townships, or Places of Bingley, Keighley, Kildwick, Carleton otherwise Carlton in Craven, Skipton, Broughton in Craven, Thornton in Craven, Morton, Morton East and West, Morton Banks, Thwaites, Riddlesden, High Utley, Low Utley, Holden Park, Steeton, Steeton with Eastburn, Eastburn, Brunthwaite, Silsden, Sutton, Cross-Hills, Glusburn, Farnhill, Low Farnhill, High Farnhill, Cononley, Bradleys Both, Low Bradley, High Bradley, Bradley Manor, Bradley Ings, Stirton, Thorlby, and Stirton with Thorlby, all in the West Riding of the County of York, as are shown on the deposited Plans: Provided always, and except, that the Limits of this Act do not comprise any Lands within the District of the Local Board of Health for the District of Keighley, except such of the same Lands as are shown and numbered on the deposited Plans and specified in the deposited Book of Reference.

Commissioners, § 5.

The Airedale Drainage Commissioners incorporated; Election and Qualification of Commissioners, §§ 6 to 11.

Power to appoint Deputies, § 12.

Declaration of Commissioners, § 13.

Declaration of Deputies, § 14.

False Declaration a Misdemeanor, § 15.

First Meeting of Commissioners, § 16.

General Meetings of Commissioners, §§ 18 to 20.

A Committee of Management; Proceedings and Meetings, §§ 21 to 28.

Auditors, § 29.

First Engineers, Valuers, and Assessors, § 30.

Power to take and use Lands shown on Works Plan, § 31.

Five Years for compulsory Purchase of Lands, § 32.

Purchase by Agreement of Lands, § 33.

Lands vested in Commissioners for Purposes of Act, § 34.

Power to make Cuts and Works authorized by Act, § 35.

Works authorized, § 36.

No Part of Railway or Works of Midland Railway Company to be taken without Consent of that Company, § 37.

Limits of Deviation, § 38.

Power for Commissioners to divert Waters of River Aire, &c., § 39.

General Drainage Works within the District, § 40.

New Cuts not to exceed Eleven Feet in Width at Bottom, § 41.

Commissioners to have Management of all Drainage in District, § 42.
Commissioners to compensate for Damage, § 43.
For Protection of Riddlesden Hall Estate, § 44.
For the Protection of the Estates of William Farrand, Esquire, § 45.
Saving Rights of Keighley Local Board of Health, §§ 46, 47.
Proportionate Compensation where Lands benefited, § 48.
If no Compensation awarded, Claimant to pay Costs, § 49.
Compensation in Land or Works, § 50.
Power to make Agreements as to severed Lands, § 51.
And for Exchanges of such Lands, § 52.
For Protection of Bridges, § 53.
Works of interior Drainage to be kept open by Owners or Occupiers of Lands, § 54.
Or by Commissioners in default of Owners or Occupiers, § 55.
Provision as to public Drains, &c., awarded under 29 Geo. 3. c. 1., to be maintained by Owners and Occupiers of Allotments, § 56.
When new Drains completed, Rights of Drainage through old Channels to cease, § 57.
Valuers and Assessors may class the Lands, § 58.
Commissioners may determine which are public Drains, § 59.
Power to destroy Vermin, § 60.
The Airedale Drainage District Plan, showing Main Drains, to be kept in the Office of Commissioners, §§ 61 to 63.
Powers for Commissioners to rate Lands within Limits of Act, § 64.
Power of Appeal, § 65.
No Part of Railway or Works of the Midland Railway Company shall be rateable, § 66.
Regulations as to levying and Payment of Rates, §§ 67 to 78.
Powers to borrow on Mortgage of Rates and reborrow, §§ 79 to 86.
Application of Revenue, § 87.
Byelaws, §§ 88 to 96.
Penalties on Persons committing Offences, §§ 98, 99.

Cap. clxi.

"The Lough Swilly Railway (Buncrana Extension) Act, 1861."

Preamble recites the 16 & 17 Vict. c. liv. and 22 & 23 Vict. c. l. relating to the Lough Swilly Railway, and that the making of a Railway from the authorized Line of the Railway to Buncrana in the County of Donegal, with a Branch or Spur therefrom, and a Pier or Jetty in the Channel of Lough Swilly, would be of great local and public Advantage, and the Londonderry and Lough Swilly Railway Company are desirous of constructing such Railway and Works if authorized so to do.
Incorporation of Consolidation Acts, § 2.
Power to make Railway, § 3.

Two Years for compulsory Purchase of Lands, § 7.
Three Years for the Completion of Works, § 8.
Admiralty Provisions, §§ 10 to 16.
Application of original Capital, § 18.
Power to Company to increase their Share Capital by 20,000*l.*, § 19.
Power to borrow 6,600*l.*, §§ 20, 21.
Saving Rights of the Crown, § 23.
Saving the Rights of the Irish Society, § 24.

Cap. clxii.

"The Swansea Vale Railway Extension Act, 1861."

Preamble recites the 18 & 19 Vict. c. lx., 19 & 20 Vict. c. xcv., and 22 Vict. c. ii., relating to the Swansea Vale Railway, and that the Company have constructed and now maintain by virtue of the said Acts a Railway from the Port of Swansea to Pontardawe, and are now constructing other Extension and Branch Railways, in those Acts particularly set forth and described; and that it is expedient to construct a Railway to form a Junction between their authorized Palleg or Cwm Twrch Branch Railway and the Railway of the Llanelly Railway and Dock Company leading to the Bryn Amman Ironworks, together with the Branch Railway herein-after described; and that the Company and the Llanelly Railway and Dock Company be authorized to enter into Working, Traffic, and other Arrangements.
Incorporation of Lands and Railways Clauses Acts, § 2.
Power to make Railways, §§ 4 to 6.
As to Construction of Junctions with Lines of Llanelly Railway and Dock Company, §§ 7, 8.
Company not to take Property or interfere with Works of Llanelly Railway and Dock Company, § 9.
Power to stop up Palleg Railroad, § 10.
On Purchase of Palleg Railroad, Rentcharges thereon to attach on new Lines unless bought up, § 11.
Lands are to be purchased within Three Years from passing of Act, § 12.
Railways to be completed by 1st January 1865, § 13.
Diversion of Road with Bridge in lieu of level Crossing in Llansamlet, § 14.
Tolls, § 19.
Working Arrangements between Company and Llanelly Railway and Dock Company, §§ 20 to 26.
Application of existing Capital, § 27.
Power to create new Shares, § 28.
Power to cancel unissued Shares, § 29.
Preference may be attached to new Shares, §§ 30, 31.
Disposition of new Shares, § 33.
Qualifications of new Shareholders, § 34.
Power to borrow 11,000*l.*, §§ 35, 36.
Application of Sums raised under this Act, § 37,

Incorporating certain Provisions of Companies Clauses Consolidation Act, § 38.
Applying Provisions of recited Acts as to Surrenders, &c., § 39.

Cap. clxiii.

"The Dumfries, Lochmaben, and Lockerby Junction Railway Deviation Act, 1861."

Preamble recites that by "The Dumfries, Lochmaben, and Lockerby Junction Railway Act, 1860," the Dumfries, Lochmaben, and Lockerby Junction Railway Company were authorized to construct a Railway from the Glasgow and South-western Railway at Dumfries to the Caledonian Railway at Lockerby; and that by the said Act it was enacted that none of the Powers thereby granted to the Company for the Purchase of Lands or Construction of the Railway should, as regards so much thereof as would be situate on Lands belonging to Major General Thomas Henry Johnston, of Carnsalloch in the County of Dumfries, between the Properties numbered respectively 45 and 91, both inclusive, in the Parish of Dumfries, on the Plans deposited with reference to that Act, be exercised by the Company before the 30th Day of August 1861, except as therein mentioned, without the Consent in Writing of the said Major General Thomas Henry Johnston; and that it was further enacted, that if the Company or the said Major General Thomas Henry Johnston, acting either jointly or severally, should in the next Session of Parliament obtain an Act for authorizing a Deviation in the Railway which should not interfere with the Properties lying between the said Properties numbered respectively 45 and 91, both inclusive, in the Parish of Dumfries, on the said deposited Plans, then and in such Case all the Powers by the said Act conferred for making the Railway between such last-mentioned Properties should cease and determine; and it was further enacted, that in that Case the said Major General Thomas Henry Johnston should sell to the Company all such Lands lying to the South of the Turnpike Road leading from Dumfries to Moffat as belong to him, and the Company might require for the Purposes of such Deviation, at a Price to be agreed upon between him and the Company, or if they could not agree then at a Price to be fixed by John Dickson, Saughton Mains, or, failing him, James Horne, Land Valuator, Edinburgh, such Price to be the agricultural Value of the Land, without intersectional Damage; and that it was further enacted by the said Act, that if the Company or the said Major General Thomas Henry Johnston should, either jointly or severally, promote a Bill in the next Session of Parliament for authorizing a Deviation as aforesaid, and such Bill should be rejected by either House of Parliament, or be withdrawn, with the Consent of the said Major General Thomas Henry Johnston, then the Powers by the said Act conferred for purchasing the Lands, and making

the Railway between the Properties aforesaid, should revive upon the Day of such Rejection or Withdrawal, as if such Day were the 30th Day of August 1861; and that it is expedient that the Company should be authorized to deviate their Line so as to avoid the taking of the said Lands referred to in the said Section of the said recited Act; and also that the Dumfries, Lochmaben, and Lockerby Junction Railway will communicate at the Town of Dumfries with the Glasgow and South-western Railway, and that Provision should be made for the Accommodation of the Traffic of the Company at the Station at Dumfries of the Glasgow and South-western Railway Company, and an Agreement for this Purpose has been entered into by the said Companies, and it is expedient that the same should be confirmed, and that the Company should be authorized to raise additional Capital.

Incorporation of General Acts, § 2.
Power to make Railway, §§ 4, 5.
Part of the Dumfries, Lochmaben and Lockerby Junction Railway to be abandoned, § 6.
Compensation, § 7.
Lands to be purchased and Works completed within Time specified by former Acts, §§ 9, 10.
Power to apply existing Capital to the Purposes of this Act, § 11.
Power to raise 5,000*l.* by Creation of Shares, § 12.
Incorporation of Portion of Companies Clauses Act, § 13.
Tolls, §§ 14, 15.
Agreements with Glasgow and South-western and Caledonian Railway Companies for working Railway, § 16.
Confirming Agreement with the Glasgow and South-western Railway Company, § 17.
Traffic of Dumfries, Lochmaben, and Lockerby Railway, § 18.
Provisions with regard to Money deposited as Security for Completion of Railway, §§ 20 to 22.
Saving Rights of the Glasgow and South-western Railway and the Caledonian Railway Companies, § 24.

Cap. clxiv.

"The Hammersmith and City Railway Act, 1861."

Recites that the making of a Railway from the Great Western Railway to Hammersmith, and of Branch Railways therefrom to form Junctions with the West London Railway, would be of great public Advantage.
Incorporation of Consolidation Acts, § 1.
Capital 180,000*l.*, § 4.
Power to borrow on Mortgage 60,000*l.*, § 7.
Directors; Meetings, §§ 11 to 18.
Power to make Works, § 19.
Gauge of Railway, § 20.
Three Years for compulsory Purchase of Lands, § 22.
Five Years for Completion of Railway, § 23.

Company not to take certain Lands of George Bridge, Esquire, § 24.
Restricting Use of certain Lands in the Parish of Paddington, § 25.
Mode of effecting Communication with Great Western Railway, §§ 26 to 29.
As to Junction with West London Railway if more than Two Lines on that Railway, §§ 30 to 33.
Mode of executing Works in Parish of Kensington, §§ 35 to 45.
Regulating the Crossing over the Metropolis Roads, §§ 46 to 53.
For Protection of Sewers of Metropolitan and other Boards, § 54.
For Protection of the Estate of Colonel Saint Quintin, § 55.
Tolls, §§ 56 to 63.
Power to enter into Agreements with Great Western and Metropolitan Companies, §§ 64 to 70.

Cap. clxv.

"The Barnsley Coal Railway Act, 1861."

Preamble recites that the making of a Railway in the West Riding of Yorkshire, from the South Yorkshire Railway in the Parish of Darfield to the Township of Notton in the Parish of Royston, would be attended with great local and public Advantage; and that it is expedient that the South Yorkshire Railway and River Dun Company should be authorized to enter into the Arrangements with respect to the Working and Management of the Railway, and to subscribe towards the Cost of its Construction.
Incorporation of Consolidation Acts, § 1.
Subscribers incorporated, with Capital of 40,000*l.*, and Power to borrow 13,300*l.*, §§ 3 to 6.
Meetings; Directors, §§ 8 to 13.
Power to South Yorkshire Railway Company to subscribe; and to apply the Funds for that Purpose, § 14.
Power to make Railway, §§ 16, 17.
Communication with South Yorkshire Railway, § 18.
For Protection of Barnsley Canal, §§ 22, 23.
Lands to be bought by Compulsion in Three Years, § 25.
Five Years for Completion of Railway, §§ 26, 27.
Tolls, §§ 29 to 36.
Power to enter into Traffic Arrangements with South Yorkshire Company, § 37.
Conditions of such Agreements, § 39.
As to Tolls during Agreement, § 44.

Cap. clxvi.

"The Carlisle Citadel Station Act, 1861."

Preamble recites the Acts incorporating the Lancaster and Carlisle Railway Company and the Caledonian Railway Company; that by the Caledonian Railway (Carlisle Devia-

tion) Act, 1846, the Caledonian Company were authorized to make a Deviation of the Caledonian Railway from the River Eden to a Point at or near to Crown Street in Carlisle; and by the Lancaster and Carlisle Act of 1846, the Powers and Provisions of the Lancaster and Carlisle Act of 1844 were extended to the reciting Act, and the Lancaster and Carlisle Company were authorized to provide a Station at Carlisle, and to alter, extend, and enlarge the Railway and Station and Works there then belonging to them, and to make and maintain a Railway, with all necessary Works and Conveniences connected therewith, commencing from the Line of the Lancaster and Carlisle Railway at or near to the Point of Junction thereof with the Newcastle and Carlisle and the Maryport and Carlisle Railways at or near to Carlisle, and terminating at Borough Street in Carlisle; that the Lancaster and Carlisle Company made the Lancaster and Carlisle Railway, and several Branches therefrom, and, under divers Acts of Parliament, acquired divers Railways and Works made by other Railway Companies, and which Branches, Railways, and Works accordingly became Part of the Undertaking and Works of the Lancaster and Carlisle Company; that the Caledonian Company made the Caledonian Railway, with divers Branch Railways communicating therewith, and they acquired the Railways and Works of divers other Railway Companies, which accordingly became Part of their Undertaking, Railway, and Works; that under the Authority of the Carlisle Deviation Act, 1846, the Caledonian Company made the Line of their Railway so that it terminated South-eastwardly at Crown Street by a Junction there with the Lancaster and Carlisle Railway, and, under the Authority of the Lancaster and Carlisle Act of 1846, the Lancaster and Carlisle Company made the Line of their Railway so that it terminated North-westwardly at Borough Street by a Junction there with the Caledonian Railway; that the Traffic at Carlisle on the Lancaster and Carlisle Railway and the Caledonian Railway being very considerable, and it being requisite that much of the Traffic there should be interchanged between the Two Railways, the Lancaster and Carlisle Company and the Caledonian Company made for their joint Use a Station there between Borough Street to the North-westward and Crown Street to the South-eastward, and from Time to Time made Additions thereto, and that Station is called the Citadel Station; that the South-eastern Extremity between Borough Street and Crown Street of the Caledonian Railway and the North-western Extremity between Crown Street and Borough Street of the Lancaster and Carlisle Railway, and divers Lines of Rails, Sidings, Works, and Conveniences connected with the same respectively, are included within the Limits of the Citadel Station; that the Maryport and Carlisle Railway has a Junction immediately to the South-eastward of Crown Street with the Lancaster and Carlisle Railway, and the Glasgow and South-western Railway has a Junction at or near to Gretna with the Caledonian Rail-

way; and the Carlisle Extension of the North British Railway has a Junction North-westward of and near to Carlisle with the Port Carlisle Railway, and by means thereof with the Caledonian Railway; that the Citadel Station was originally made and has from Time to Time been enlarged, and the Lands on which the same is situate and various adjoining Lands have been from Time to Time acquired, all at the joint and equal Expense of the Two Companies; that for the better Regulation and Management of the Citadel Station, and the several Lines of Railway, Sidings, Works and Conveniences, and Lands of the Two Companies respectively, in and immediately connected with the Citadel Station and for the Prevention of Accidents and Inconveniences and for other Purposes relating to the Citadel Station, the Two Companies found it necessary to appoint and accordingly resolved on the Appointment of a Joint Committee, composed of Directors of the Two Companies respectively, and from Time to Time passed divers Resolutions for the Guidance of the Joint Committee; that by Agreement with the Two Companies the Maryport and Carlisle Railway Company were admitted by the Two Companies to the User, jointly with them, of the Citadel Station, for the Passenger and Coaching Traffic of the Maryport Company, and the Two Companies agreed to grant and the Maryport Company agreed to take a Lease for 999 Years of a Portion of the Citadel Station, for the Purposes of the Mineral and Goods Traffic of the Maryport Company; that by Agreement with the Two Companies the Glasgow and South-western Railway Company were afterwards admitted by the Two Companies to the User, jointly with them and the Maryport Company, of the Citadel Station, for the Passenger and Coaching Traffic of the South-western Company; and that the Terms and Conditions agreed on for the User by the South-western Company of the Citadel Station are expressed in a Memorandum of Agreement dated the 1st Day of March 1851, between the Two Companies of the First Part and the South-western Company of the Second Part; and the Terms and Conditions eventually agreed on for the User by the Maryport Company of the Citadel Station are expressed in a Memorandum of Agreement dated the 2d Day of April 1851, between the Maryport Company of the First Part, the Lancaster and Carlisle Company of the Second Part, and the Caledonian Company of the Third Part; that by Articles of Agreement dated the 10th Day of May 1857, between the Lancaster and Carlisle Company of the one Part, and the Caledonian Company of the other Part, the Two Companies entered into an Agreement between themselves, whereby they provided for the Appointment and Regulation of a Joint Committee, consisting of Directors of the Two Companies, and called "the Citadel Station Committee;" and also provided that the Committee should have the entire Management, Regulation, and Control of the Citadel Station and the Works and Conveniences thereof,

and all Enlargements of the Citadel Station and all Extensions of the Works and Conveniences thereof, in all respects as if the Committee were a Board of Directors of a Railway Company entitled thereto; and also provided for the Enlargement from Time to Time (when required by the Committee) of the Citadel Station and the Works and Conveniences thereof by the Two Companies at their joint Expense; and also provided that the Authority of the Committee should not extend to the Railways of the Two Companies respectively beyond the Limits of the Lands coloured Red on the Plan annexed to the Agreement, except only that for securing the Safety of the Public using the Railways of the Two Companies respectively the Regulations of the Committee should be in force and observed by the Two Companies respectively with respect to all Parts of their respective Railways shown on the Plan; and also that the several Tolls and yearly and other Sums from Time to Time thereafter payable by the South-western Company and the Maryport Company respectively to the Two Companies, under the recited Agreements, and all Tolls and yearly and other Sums from Time to Time by any future Agreements between the Two Companies and any other Railway Companies and other Parties respectively made payable to the Two Companies for or in any way relating to the User or Enjoyment by such other Railway Companies and other Parties respectively of the Citadel Station or any Part thereof should from Time to Time be paid to the Credit of a Joint Fund for the Purposes of the reciting Agreement, and that all other Tolls and yearly and other Sums from Time to Time payable to the Two Companies respectively for or in any way relating to the User or Enjoyment of the Citadel Station or any Part thereof should from Time to Time be paid to the Credit of the Joint Fund; and also provided for the Application of the Joint Fund for the Payment thereout of Taxes, Rates, and current and other Expenditure with respect to the Citadel Station, and for the Division of the Surplus of the Joint Fund equally between the Two Companies; and also made Provision with respect to Tolls and Charges for the User of and Interchange of Traffic in the Joint Station, and with respect to other Matters relating to the Citadel Station, and the Interests of the Two Companies therein and relating thereto; and it was thereby agreed between the Two Companies that inasmuch as the Duties of the Committee might be better performed and the reciting Agreement might be more easily carried into effect if additional Parliamentary Powers in that Behalf were obtained, the Two Companies respectively would use their best Endeavours to procure all such Enactments as might be expedient; that by Agreement between the Two Companies the North British Railway Company were afterwards admitted to the User jointly with the Two Companies and the Maryport Company and the South-western Company respectively of the Citadel Station for the Passenger and Coaching Traffic of the North British Com-

pany; that the Terms and Conditions agreed on for the User by the North British Company of the Citadel Station are expressed in an Agreement made the 8th Day of January 1861, between the Caledonian Company and the Lancaster and Carlisle Company of the First Part, and the North British Company of the Second Part; that by the Admission of the Maryport Company and the South-western Company respectively to the User of the Citadel Station the Traffic thereat has greatly increased, and the Admission of the North British Company to the User of the Station will still further increase the same, and it is expedient that the Two Companies be authorized, at their joint and equal Expense, to enlarge and improve the Citadel Station and the Works and Conveniences thereof, and in connexion with or consequent on the Enlargement of the Citadel Station, and for the Convenience of Passenger and other Traffic to and from and within and through the Citadel Station, and the Safety of the Public, to lay down additional Rails in and near to the Citadel Station, and to stop up, widen, divert, and alter Streets and Bridges near thereto, and to make a new Street there; that the Regulation and Management of the Citadel Station by the Citadel Station Committee, in accordance with the Terms and Conditions in that Behalf agreed on between the Two Companies, has been productive of great Advantage, in securing, to a far greater Extent than could be secured under a divided Management, the Safety and Convenience of the Public, and the Convenience of the several Companies from Time to Time using the Citadel Station, and it is expedient that, subject to the Provisions of this Act, the Citadel Station Committee be continued, and the several recited Agreements be confirmed and carried into effect; also that further Provision be made with respect to the Citadel Station, and the Lands, Railways, and Works of the Two Companies respectively near thereto, and that the North British Company be authorized to contribute towards the Expense of making, altering, enlarging, maintaining, and working the Citadel Station and the Works in connexion therewith; that the Lancaster and Carlisle Company, claiming to be entitled, under the Authority of divers Acts of Parliament relating to them and to divers other Railway Companies, of whose Railways, Works, and Property the Lancaster and Carlisle Company were then in possession, to make, and the North-western Company, claiming under divers Acts of Parliament relating to them, to be entitled to accept, a Lease of the Undertakings, Railways, Works, and Property which were made by or belonged to or were authorized to be made or were worked by the Lancaster and Carlisle Company, by an Indenture of Lease dated the 22d Day of December 1859, and made between the Lancaster and Carlisle Company of the one Part, and the North-western Company of the other Part, the Lancaster and Carlisle Company demised and leased all those the Undertaking, Railways, Property, and Effects of the Lancaster and Carlisle Company, including all Branch and

other Railways, Works, and Conveniences from Time to Time made by the Lancaster and Carlisle Company, in pursuance of any Acts relating to them, and also including all Undertakings, Railways, Property, and Effects then vested in the Lancaster and Carlisle Company by force of any Amalgamation, and also including the Undertaking, Railway, Property, and Effects of the Kendal and Windermere Railway Company, demised to the Lancaster and Carlisle Company, and also all Sidings, Stations, Works, and Property, including all Lands, Tenements, and Hereditaments whatsoever, of or to which the Lancaster and Carlisle Company were then seised, possessed, or entitled, and also all the Tolls, Fares, Rates, Charges, Rents, Issues, and Profits which the Lancaster and Carlisle Company might, or but for those Presents might, from Time to Time demand or receive, and also all the Powers, Authorities, Rights, Privileges, Indemnities, and Immunities whatsoever of the Lancaster and Carlisle Company, their Directors, Officers, Agents, or Servants, and also the Benefit of all Contracts, Agreements, and Arrangements whatsoever of or with the Lancaster and Carlisle Company relating to the Premises or any Part thereof, and also all the Rolling Stock, Plant, and Stores of the Lancaster and Carlisle Company, and also the Trade of the Lancaster and Carlisle Company of a Common Carrier on Railways, and the Goodwill and Benefit thereof, together with full Liberty and Power for the North-western Company from Time to Time to alter, by Removal, Addition, and otherwise, all or any of the Railways, Stations, Buildings, or Works thereby demised, or which might from Time to Time be on the Lands or connected with the Railways thereby demised, and to remove any of the Works or Buildings which might be useless, and convert the Materials thereof to their own Use, and generally to make any Alterations of or Additions to the Railways and Premises which should from Time to Time be considered expedient by the North-western Company, and all the Estate, Right, Title, Interest, and Property whatsoever of the Lancaster and Carlisle Company therein and thereto, unto the North-western Company, from the 1st Day of August 1859, for the Term of 900 Years, at the several yearly Sums by way of Rent, and subject to the Covenants, Conditions, and Provisions in and by the reciting Indenture respectively reserved and contained, and to be respectively paid, performed, and observed by the North-western Company; and that the North-western Company now have the Possession of the several Undertakings, Railways, Works, and Property respectively described in the Lease as Lessees thereof under the Lease, and are maintaining, managing, completing, working, and using the same accordingly; and that it is expedient that during the Continuance of the Lease the Powers and Duties of the Lancaster and Carlisle Company with respect to the Citadel Station and the Matters connected therewith be exercised and performed by the North-western Company;

and also that the Caledonian Company be authorized to raise further Monies for the Purposes of this Act.

8 & 9 Vict. cc. 18. and 20. and 23 & 24 Vict. c. 106. incorporated, § 2.

Parts of 8 & 9 Vict. c. 16. incorporated, § 3.

Agreements confirmed.

6. The Maryport Company's Agreement, and the South-western Company's Agreement and the North British Company's Agreement, are by this Act respectively confirmed, and, in accordance with the Provisions of this Act, may and shall be carried into effect according to the true Intent thereof respectively; and, in accordance with those Three Agreements respectively, and subject to the Provisions of this Act, the Citadel Station Agreement is by this Act confirmed, and may and shall be carried into effect according to the true Intent thereof.

Arbitrations under Agreements.

7. Provided, That all Arbitrations under the Four several Agreements respectively shall be in accordance with the "Railway Companies Arbitration Act, 1859," instead of being in accordance with the Provisions for Arbitration of "The Companies Clauses Consolidation Act, 1845:" Provided also, that all Awards on Arbitration under the North British Company's Agreement shall be made in accordance with the Principle of Arbitrations under "The Lands Clauses Consolidation Act, 1845."

As to Reading of the Citadel Station Agreement.

8. Provided, That for the Purposes of this Act, during the Continuance of the Lease, the Citadel Station Agreement shall be read and have effect as if the North-western Company were Party thereto, and named and referred to therein, instead of the Lancaster and Carlisle Company.

Two Companies may appoint the Citadel Station Committee.

9. In accordance with the Citadel Station Agreement, but subject to the Provisions of this Act, the Two Companies from Time to Time may appoint a Joint Committee, to be called "the Citadel Station Committee."

Qualification of Members of Citadel Station Committee.

10. During the Continuance of the Lease the Qualification of a Member of the Citadel Station Committee, from Time to Time appointed by the North-western Company, shall be his being a Director of the North-western Company, or a Director of the Lancaster and Carlisle Company; and the Qualification of a Member of the Committee appointed by the Caledonian Company shall be his being a Director of that Company.

Powers and Duties of Citadel Station Committee.

11. Subject to the Provisions of this Act, the Citadel Station Committee from Time to Time shall have and exercise all Rights, Powers, Authorities, Duties, Privileges, and Immunities with respect to the Citadel Station, and such Parts of the Railways, Works, and Conveniences of the Two Companies respectively as from Time to Time are subject to the Regulation and Management of the Committee, as if the Committee were the Directors of a Railway Company to which the same belonged as their Undertaking, Railway, Works, and Property, and as if the Name of the Citadel Station Committee were the Name of the Railway Company; save only that, where it would be requisite to use the Common Seal of the Railway Company, the Signatures of Three or (if and when the Two Companies

Companies so agree) a greater Number of the Members of the Committee shall be substituted for the Common Seal: Provided that during the Continuance of the Lease nothing in this Act shall enable the Citadel Station Committee, without the Assent of the Lancaster and Carlisle Company, under their Common Seal, to make any Alteration of the Citadel Station Agreement, or of any of the other recited Agreements, or to make any new Agreement for the Admission, directly or indirectly, of any other Railway Company or Person into the Citadel Station, or the User thereof, which Alteration or new Agreement shall have effect after the Determination of the Lease, unless such Determination take place, by the mutual Consent and Agreement of the Parties thereto, before the Expiration of the Lease by Effluxion of Time.

Site of Citadel Station vested in the Two Companies.

12. Subject to the Provisions of this Act, the Lands which from Time to Time form the Site of the Citadel Station, and the Lands which from Time to Time are acquired for the Alteration or Enlargement thereof, are by this Act vested in the Two Companies as their joint and equal Property; and the several Offices, Buildings, Sheds, Sidings, Turn-tables, Switches, Works, and Conveniences from Time to Time within the Limits of the Citadel Station, and not being Parts of the Lancaster and Carlisle Railway and the Caledonian Railway respectively, and also all the Signals within the Limits of the Citadel Station, and the Apparatus connected therewith, are by this Act also vested in the Two Companies as their joint and equal Property, but respectively subject to the Regulation and Management, in accordance with this Act, of the same and the Traffic thereon, by the Citadel Station Committee.

Lancaster and Carlisle Company entitled to their Railway in Citadel Station;

13. The Main Lines of Rails, and the Points and Switches thereof, from Time to Time within the Citadel Station, and lying South-eastward of an imaginary Line drawn across the Citadel Station at, as nearly as conveniently may be, Right Angles to the Main Lines of Railway therein, at a Point as nearly as conveniently may be equidistant between the South-eastern Side of Borough Street and the North-western Side of Crown Street, shall from Time to Time form Part of the Lancaster and Carlisle Railway, and shall, for all Purposes of Tolls, Fares, Rates, and Charges, and all other Purposes whatsoever, be (to the Exclusion of the Caledonian Company) vested in the Lancaster and Carlisle Company as Part of their Undertaking, Railway, Works, and Property, but subject to the Regulation and Management, in accordance with this Act, of the same and the Traffic thereon, by the Citadel Station Committee.

but vested in North-western Company as Lessees, and Lancaster and Carlisle Company as Lessors.

14. Provided, That, during the Continuance of the Lease, the undivided Estate and Interest of the Lancaster and Carlisle Company of and in the Site of the Citadel Station, and of and in the Offices, Sheds, and Buildings therein, and of and in the Rails, Turn-tables, Switches, Signals, Apparatus, and other Works and Conveniences within the Citadel Station, which by this Act are vested in the Two Companies jointly, and also such of the Rails, Turn-tables, Switches, Works, and Conveniences which by this Act are (to the Exclusion of the Caledonian

Caledonian Company) vested in the Lancaster and Carlisle Company, are by this Act vested in the North-western Company as Lessees thereof under the Lease, and in the Lancaster and Carlisle Company as Lessors thereof accordingly, and the Lease shall be read and have effect accordingly as if the same had been originally comprised therein and demised thereby.

Powers of Lancaster and Carlisle Company exercisable by North-western Company as Lessees.

15. During the Continuance of the Lease, all the Rights, Powers, Authorities, and Privileges of the Lancaster and Carlisle Company, with respect to the Citadel Station, and the Lands, Railways, Works, and Conveniences connected therewith, and with respect to the Tolls, Fares, Rates, and Charges in respect of the same, are by this Act vested in and may and shall accordingly be exercised and enjoyed by the North-western Company as Lessees under the Lease.

Caledonian Company entitled to their Railway in Citadel Station.

16. The Main Lines of Rails and the Points and Switches thereof from Time to Time within the Citadel Station, and lying North-westward of an imaginary Line drawn across the Citadel Station at, as nearly as conveniently may be, Right Angles to the Main Lines of Railway therein, at a Point as nearly as conveniently may be equidistant between the North-western Side of Crown Street and the South-eastern Side of Borough Street, shall from Time to Time form Part of the Caledonian Railway, and shall, for all Purposes of Tolls, Fares, Rates, and Charges, and all other Purposes whatsoever, be vested exclusively in the Caledonian Company as Part of their Undertaking, Railway, Works, and Property, but subject to the Regulation and Management, in accordance with this Act, of the same and the Traffic thereon, by the Citadel Station Committee.

Citadel Station Committee to decide Questions of Ownership of Rails, &c.

17. If and whenever any Question arises as to which or which Parts of the Rails, Turn-tables, Switches, and other Works and Conveniences within the Citadel Station belong exclusively to the North-western Company as Lessees, and the Lancaster and Carlisle Company as Lessors, as Part of the Undertaking, Railway, Works, and Property comprised in the recited Lease, and which or which Parts thereof belong exclusively to the Caledonian Company as Part of their Undertaking, Railway, Works, and Property, and which or which Parts thereof are by this Act vested in the Two Companies jointly, every such Question, when and as it from Time to Time arises, shall be determined by the Citadel Station Committee; provided that by any subsequent Determination on any such Question the Citadel Station Committee may revoke or alter any prior Determination by them on any such Question.

Citadel Station Committee to prepare Plan of Citadel Station.

18. The Citadel Station Committee shall within Twelve Months after the passing of this Act make a Plan of the Citadel Station and any adjoining Lands which they think it expedient for any of the Purposes of this Act to include in the Plan, on a Scale of not less than Ten Feet to a Mile, and shall show thereon distinctly the then Limits of the Citadel Station, and from Time to Time, when any Alteration of the Limits of the Station is made, shall revise the Plan accordingly, so that at all Times the Limits of the Citadel Station may be accurately

accurately ascertained by Reference to the Plan, and the Date of every Revision of the Plan shall be expressed thereon.

Authentication and Deposit of Plan.

19. When the Plan of the Citadel Station or any Revision thereof is made, the Citadel Station Committee shall authenticate a Copy of the Plan by the Signature of Five or more Members of the Committee, and the Copies so from Time to Time authenticated shall be deposited at their Office in the Citadel Station.

Evidence of Plan.

20. A Copy or Extract of the Plan of the Citadel Station, from Time to Time authenticated as is by this Act required, shall, for the several Purposes of this Act and of the several Acts from Time to Time in force with respect to the several Companies from Time to Time using the Citadel Station, be primâ facie Evidence of the Limits from Time to Time of the Citadel Station, and shall be admitted in Evidence in all Courts and elsewhere accordingly.

Inspection of Plan.

21. The Plan shall at all reasonable Times in the Day be open gratis to the Inspection of all Persons interested; and the Citadel Station Committee shall furnish to every such Person requiring the same Copies and Extracts thereof, on Payment of such reasonable Sums as the Committee appoint.

Power to take Lands, § 22.
Powers for compulsory Purchases limited to Three Years, § 23.
Power to use Lands for Purposes of Act, § 24.
Lands for extraordinary Purposes, § 25.
Vesting of Lands in Two Companies jointly and severally, § 26.
Power to make Works authorized by Act, § 27.

Works authorized by Act.

28. The several Works which the Two Companies are by this Act authorized to execute comprise the following Works; (that is to say,)

First, the altering and enlarging, within the Limits defined on the deposited Plans, of the Citadel Station, and the making and maintaining within those Limits of such Lines of Rails, Sidings, and other Works and Conveniences as the Two Companies find necessary or expedient in connexion with the Citadel Station, and the Alteration and Enlargement thereof, and for making better Approaches thereto:

In connexion with and as Part of the Alteration and Enlargement of the Citadel Station the following Works, or some of them, or Parts thereof, and all proper Works and Conveniences in connexion therewith respectively; (that is to say,)

Secondly, a Railway (No. 1) commencing by a Junction with the Caledonian Railway at or near to a Point about 300 Yards Westward from the North-western Extremity of the Passenger Shed, and terminating by a Junction with the Lines of Railway belonging to the Two Companies, or to One of them, at or near to a Point about 50 Yards South-eastward from the Railway Bridge over Crown Street:

Thirdly,

Thirdly, a Railway (No. 2) commencing by a Junction with the Lancaster and Carlisle Railway at or near to a Point about 80 Yards South-eastward from the Railway Bridge over Crown Street, and terminating at or near to a Point on the North-eastern Side of the Passenger Shed about 20 Yards Southward from the Southern Corner of the County Hotel:

Fourthly, the shutting up of the Lane or Street which passes under the Lines of Railway belonging to the Two Companies or to One of them near to the South-eastern Extremity of the Passenger Shed, and which extends from Collier Lane to the Junction of South George Street, Forster Street, and Cross Street:

Fifthly, the widening of the present Line, and the altering of the Levels of Collier Lane from the Point where it is joined by the Lane or Street proposed to be shut up to Crown Street:

Sixthly, a new Street from the Junction of Cross Street and John Street to Crown Street at a Point near to and on the South-western Side of the Railway Bridge over Crown Street:

Seventhly, the diverting of so much of Water Street as extends from a Point at or near to the Southern Side of the Bridge under the Lines of Railway belonging to the Two Companies or to One of them near to the North-western Extremity of the Passenger Shed, to a Point at or near to the Junction of Water Street with Wood Street:

Eighthly, the lowering of the Level of Part of the Street or Road leading from under that Bridge to the Nelson Bridge over the River Caldew:

Ninthly, the widening or Extension of the Bridge near to the North-western Extremity of the Passenger Shed, provided such Extension shall not, without the previous Consent in Writing of the Mayor, Aldermen, and Citizens of Carlisle, under the Hand of the Mayor or of the Town Clerk, exceed 68 Feet, and that the Pillars between the Footpaths and Carriageway of the Road under such Extension shall be of Cast Iron:

Tenthly, the widening or Extension of the Railway Bridge over Crown Street, provided such Extension shall not, without such Consent as aforesaid, exceed 50 Feet:

Which several Works will be situate within the following Places or some of them; (that is to say,) the Parish of Saint Cuthbert, Carlisle, and the Townships of Saint Cuthbert-Within and Saint Cuthbert-Without in Carlisle, all in the County of Cumberland: Provided always, that it shall not be lawful for the Two Companies, without such Consent as aforesaid, to shut up the Lane or Street near to the South-eastern Extremity of the Passenger Shed, as fourthly herein-before authorized, until they have widened and altered Collier Lane, and constructed the new Street, as fifthly and sixthly herein-before authorized.

Regulating the Inclinations of certain Streets, § 29.

Regulating the Dimensions of certain Bridges, § 30.

Borough Street under Railway Bridge to be lighted with Gas, § 31.
Lateral Deviation, § 32.
Power to alter Engineering Works, § 33.
Vertical Deviation, § 34.
No Works to be erected within Ten Yards of County Gaol at Carlisle, § 35.
User of Rails for making Railways in Citadel Station, § 36.

Powers of the Two Companies under Act to be exercised under Citadel Station Committee.

37. The several Powers of the Two Companies under this Act, with respect to the taking and using of Lands, and the making and maintaining of Works, and all incidental Matters, shall be exercised by the Two Companies subject to the Regulation and Management, in accordance with this Act, of the Citadel Station Committee.

Power for the Two Companies to modify Citadel Station Agreement.

38. Subject to the Provisions of this Act, and to the Approval of the Board of Trade, the Two Companies, from Time to Time, by Agreement between themselves, may modify any of the Terms and Conditions of the Citadel Station Agreement, and make and carry into effect any Agreements with respect to any of the Purposes of this Act in which they are mutually interested.

Power for Railway Companies to make Agreements as to Citadel Station.

39. The North-western Company and the Lancaster and Carlisle Company, or either of them, according to their respective Interests, on the one hand, and the Caledonian Company on the other hand, from Time to Time may enter into and carry into effect such mutual Agreements, with respect to their respective Interests in and User of the Citadel Station and the Works and Conveniences connected therewith, and the North-western Company and the Lancaster and Carlisle Company, or either of them, and the Caledonian Company, according to their respective Interests, on the one hand, and the Maryport Company, the South-western Company, and the North British Company, or any of them, on the other hand, from Time to Time may enter into such Agreements with respect to the User by those Companies respectively of the Citadel Station, and the Works and Conveniences connected therewith, and any Part thereof respectively, and the Tolls, Fares, Rates, Charges, or Payments to be levied or made in respect of the User, as the respective contracting Companies from Time to Time think fit: and every such Agreement may be on such Terms and Conditions as the contracting Companies think fit.

Power for Companies to make Agreements with Carlisle Corporation.

40. The North-western Company and the Lancaster and Carlisle Company, or either of them, and the Caledonian Company, according to their respective Interests, on the one hand, and the Carlisle Corporation on the other hand, from Time to Time may enter into and carry into effect all such Agreements with respect to the paving, metalling, lighting, and sewering the several Streets by this Act authorized to be interfered with or made, and the Works affecting the same, as the contracting Parties think fit; and every such Agreement may be in perpetuity, or for such Period and on such Terms and Conditions as the Parties thereto think fit.

41. No

Sanction of Shareholders for Agreements.

41. No Agreement made under the Authority of this Act shall take effect without the Sanction of at least Three Fifths of the Votes of the respective Shareholders of every Railway Company Party thereto present, in Person or by Proxy, at a General Meeting of the respective Railway Company specially convened for the Purpose.

Power to apply Monies for Purposes of Act.

42. The Two Companies respectively from Time to Time may apply for the Acquisition of Lands and the Execution of Works for the Purposes of this Act, and for other Purposes of the Citadel Station, and the North British Company may from Time to Time apply, in contributing towards the Expense of making, altering, enlarging, maintaining, and working the Citadel Station, any Monies which those several Companies respectively are authorized to raise by Shares or Stock or by borrowing, and which are not required for the special Purposes (if any) to which by any of the Acts relating to those Companies respectively the same are made applicable, or any Monies which those Companies respectively otherwise receive.

Act not to affect recited Lease.

43. Nothing in this Act contained shall be held or construed either as giving Validity to or as prejudicing the said recited Lease.

Power to Caledonian Company to raise Money by Creation of Shares.

44. It shall be lawful for the Caledonian Company, with the Consent of Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at any Extraordinary Meeting to be convened for the Purpose, from Time to Time to raise, in addition to the Sums which they are or may be authorized to raise by any other Act of Parliament, any further Sums of Money, not exceeding in the whole the Sum of 25,000*l.*, by the Creation and Issue of new Shares or Stock, bearing, if the Company shall at such Meeting so resolve, a preferential Dividend of such Amount as the Company may then appoint, not exceeding Five Pounds per Centum per Annum, which Sum shall be applied only to the Objects and Purposes by this Act authorized, and shall be raised subject to the like Conditions and Restrictions, as to the maximum Amount of each Call, and the Interval between the successive Calls, as are prescribed by "The Caledonian Railway Act, 1845," in relation to the Capital thereby authorized to be raised; and the new Shares or Stock created by the Caledonian Company by virtue of this Act shall become Part of the general Capital of that Company, and each Holder of any of such new Shares or Stock shall be entitled to the same Number of Votes in respect thereof which the Possession of an equal nominal Amount of the Capital authorized by "The Caledonian Railway Act, 1845," would have conferred upon him: Provided always, that any Priority of Dividend which may be granted in respect of such new Shares or Stock in pursuance hereof shall not prejudice or affect any Guarantee, Preference, or Priority in the Payment of Interest or Dividend on any other Shares or Stock which may have been granted by the Caledonian Company in pursuance of or which may have been created or confirmed by any previous Act of Parliament, or which may be otherwise lawfully subsisting.

45. The

Dividend thereon, how to be paid.

45. The said new Shares or Stock shall be entitled to the preferential Dividend, if any, which may have been appointed by the Caledonian Company as aforesaid, out of the Profits of each Year, commencing on the 1st Day of February, in priority to the ordinary Shares in the Company; but if in any such Year there shall not be Profits available for the Payment of the full Amount of such preferential Dividend for that Year, the Deficiency or any Part thereof shall not be made good out of the Profits of any subsequent Year, or out of any other Funds of the Company.

Conditions of Preference Shares to be stated on Certificates thereof, § 46.

Power to Caledonian Company to borrow on Mortgage.

47. When and so soon as the said additional Capital of 25,000*l.* shall have been subscribed for, and One Half thereof shall have been paid up, it shall be lawful for the Caledonian Company from Time to Time to borrow on Mortgage, and if paid off again to borrow, any Sum or Sums of Money not exceeding in the whole 8,300*l.*, in addition to the Amount which they are or may be authorized to borrow by any other Act of Parliament: Provided always, that no Part of such Sums shall be borrowed until the Caledonian Company shall have proved to the Sheriff who is to certify, under the Provisions contained in the 42d Section of "The Companies Clauses Consolidation (Scotland) Act, 1845," that the whole of such additional Capital has been subscribed for bonâ fide, and is held by the Subscribers, or their Executors, Administrators, or Assignees, and for which such Subscribers, or their Executors, Administrators, or Assignees, are legally liable: Provided also, that the Sums so to be borrowed under the Powers of this Act shall be applied only to the Objects and Purposes by this Act authorized; provided further, that all Mortgages, Bonds, and Debenture Stock for which or for the Interest whereof the Caledonian Company are lawfully liable, and which shall be in force at the Time of the passing of this Act, shall during their Subsistence have Priority over any Mortgage to be granted by that Company under the Powers of this Act.

Cap. clxvii.

"The Marlborough Railway Act, 1861."

Preamble recites that it is expedient to authorize the Construction of a Railway from the Berks and Hants Extension Railway to Marlborough in Wiltshire, and to empower the Great Western Railway Company to work the Railway when made and to subscribe to the Undertaking.

Incorporation of Consolidation Acts, § 1.

Subscribers incorporated, with Capital of 45,000*l.*, and Power to borrow 15,000*l.*, §§ 3 to 6.

Meetings; Directors, &c., §§ 7 to 11.

Quorum, § 12.

Power to Great Western Railway Company to subscribe, and to apply the Funds for that Purpose, § 13.

Power to make Railway, §§ 15, 16.

ge over Road in Wootton Rivers, § 17.
Inclination of certain Roads, § 18.
tion with Berks and Hants Extension Railway, 22.
be bought by Compulsion within Three Years,
for Completion of Railway, §§ 25, 26.
to 35.
er into Traffic Arrangements with Great Western § 36.
such Agreements, § 38.
greement with Great Western Railway Com-

Cap. clxviii.

dale and Newcastle Junction Railway Act, 1861."
es that the making of a Railway from the Foynes Railway to the Town of Newcastle in Limerick would be of great public Advantage; is expedient to enable the Limerick and Foynes pany and the Cork and Limerick Direct Rail- y to subscribe towards and hold Shares in the of the Company; and to enable the Company erick Company to enter into Agreements for by the Limerick Company of the Traffic upon ing of the Company.
Consolidation Acts, § 2.
orporated, with Capital of 50,000*l.*, and Power 600*l.*, §§ 3 to 7.
ctors, &c., §§ 11 to 20.
Railways, § 21.
Lands to be purchased by Compulsion, § 25.
Completion of Railway, § 26.
, §§ 27 to 29.
ication with the Limerick and Foynes Railway,
42.
into Working Arrangements, §§ 43 to 47.
erick Company to contribute towards Funds of 48.
rk Company to contribute towards Funds of 49.
ntributing Company to raise and apply Monies ation towards Funds of Company, § 50.
ed by Limerick Company may be ordinary or , but Shares created by the Cork Company are ary Shares only, § 51.
Shareholders for Contribution by Limerick and panies towards Funds of Company, § 52.
Two Companies to vote at Meetings of Company,
of Appointment and Removal of Directors and of ent and Revocation of Nominees, §§ 54, 55.

Cap. clxix.

"The South Yorkshire Railway Amendment Act, 1861."

Preamble recites that the Railway of "The South Yorkshire Railway and River Dun Company" now terminates on the Left Bank of the River Trent in the Parish of Keadby; that a Railway is now in course of Construction in the Parts of Lindsey in Lincolnshire, from the Right Bank of the Trent, and across the River Ancholme, to join the Manchester, Sheffield, and Lincolnshire Railway at Barnetby-le-Wold, and that a Bill is pending in Parliament to authorize the said Undertaking under the Name of "The Trent, Ancholme, and Grimsby Railway;" that it is expedient that the Company should have Power to extend the South Yorkshire Railway across the Trent to join the Trent, Ancholme, and Grimsby Railway, and that they should have Power to use the same Railway, and also to purchase for the Purposes of their Undertaking certain Lands; and that whereas the Capital of the Company, formed as well by the original Subscriptions as by the Amalgamation of the Companies of the River Dun Navigation, the Sheffield Canal, the Dearne and Dove Canal, and the Stainforth and Keadby Canal, now consists of 741,020*l.* Consolidated Stock and Shares, being the ordinary Share Capital of the Company, also of 448,980*l.* Consolidated Stock and Shares, bearing 4 per Cent. Preference Dividend, and of 500,000*l.* in 20*l.* Shares, bearing a 5 per Cent. Preference Dividend now in course of Issue, and the Company have also borrowed, under the Powers of the Company and of the Navigation and Canal Acts amalgamated therewith, and on the 30th of September 1860 stood indebted in the Sum of 1,104,303*l.* 17*s.* 2*d.*, it is necessary that the Company should be authorized to raise further Capital; and that the Company and the Manchester, Sheffield, and Lincolnshire Railway Company should be authorized to enter into certain Arrangements.

Incorporation of Consolidation Acts, § 1.

Power to make Railway, §§ 3 to 5.

Power to take Toll for Bridge and Railway, to form Part of Company's Undertaking, § 6.

Level Crossings, §§ 8 to 11.

Communication with Trent, Ancholme, and Grimsby Railway how to be made, §§ 12 to 14.

Saving Jurisdiction of Commissioners of Sewers for the Wapentakes of Manley, Corringham, and Aslacoe, § 15.

As to Bridge over Trent, § 16.

Plans to be laid before Admiralty, § 17.

Lights to be shown at Bridge, § 18.

Company to clear away Deposits, &c. before commencing, § 19.

Vessels not to be detained, § 20.

Admiralty may order local Survey, § 21.

Works directed to be removed, § 22.

Reserving Powers of Warping, § 23.

Lands to be bought by Compulsion in Two Years, § 24.

Five Years for Completion of Railway, §§ 25, 26.
Power to use Trent, Ancholme, and Grimsby Railway, and Barnetby Station of the Manchester, Sheffield, and Lincolnshire Railway, §§ 27 to 29.
Company may apply their Funds towards Purposes of Act, § 30.
Power to Company to raise additional Capital, § 31.
Appropriation and Conditions of new Shares, §§ 32 to 37.
Power to borrow 33,000*l.*, § 38.
Incorporation of Parts of Companies Clauses Act, § 40.
Power to enter into Traffic Arrangements with Manchester, Sheffield, and Lincolnshire Railway Company, §§ 41 to 45.

Cap. clxx.

"The Wigan Gas Act, 1861."

Preamble recites the 3 Geo. 4. c. xxxi., by which the Wigan Gaslight Company were incorporated for the Purpose of lighting with Gas the said Town and Borough of Wigan, and authorized to raise for that Purpose a Capital not exceeding 10,000*l.*, with Power, in case the same should be found insufficient, to raise any further Sum or Sums of Money not exceeding 2,500*l.*, either by way of Loan or by creating new and additional Shares; and that the said Company raised the Sum of 10,000*l.* upon 1,000 Shares of 10*l.* each, and afterwards, in the Year 1850, finding the same insufficient, raised the further Sum of 2,500*l.* upon 250 new Shares of 10*l.* each; and that the said Company have constructed Gasworks, and for many Years supplied the Borough of Wigan with Gas, and also partially supplied with Gas some of the Places adjoining such Borough; and that by a Deed of Settlement dated the 18th Day of February 1855 a Company was formed, under the Name and Style of the Wigan Gas Meter and Fitting Company, for the Purchase of Gas Lamps, Brackets, Meters, and other Gas Fittings, and to sell and dispose of or to let or hire out the same, and generally to carry on the Business of Gas Fitters, and to do and furnish all other Matters and Things required intermediately between the Manufacturers and Consumers of Gas, at the Fitting Warehouse or Office situate in Chapel Lane in Wigan aforesaid, then or lately used by the Wigan Gaslight Company, or such other Place in the Borough of Wigan aforesaid as the Directors for the Time being of the intended Company should determine; and that the Capital of the said Wigan Gas Meter and Fitting Company was 3,125*l.*, in 1,250 Shares of 2*l.* 10*s.* each, with Power to increase such Capital to 10,000*l.*; and that the said Capital of 3,125*l.* was in the Year 1860 increased by the Issue of 1,250 new and additional Shares of 2*l.* 10*s.* each, and that the present Capital of the Wigan Gas Meter and Fitting Company is 6,250*l.*, all of which has been subscribed for and paid up; and that the Population and House Property of Wigan and the Neighbourhood thereof, within

the Limits herein-after described, have of late Years greatly increased and are still increasing; and the Powers of the Wigan Gaslight Company under the recited Act extend only to the Borough of Wigan, and the Capital of the same Company is insufficient for the efficient lighting with Gas the said Borough and the Places adjoining; and also that the Wigan Gaslight Company since their Incorporation have expended from Time to Time considerable Sums of Money out of their annual Profits in the Enlargement and Extension of their Works, and in laying down additional Mains and Pipes, in lieu of dividing such Sums amongst the Shareholders in the Company, and the several Sums so expended amount to 12,500*l.* and upwards; and it has been arranged that the Wigan Gas Meter and Fitting Company should apply to be incorporated under this Act by the Name of the "Wigan Gas Company," and that the Wigan Gaslight Company should be dissolved, and that all its Powers, Manufactory, Gasworks, Buildings, Pipes, Plant, and Undertaking should be transferred to and vest in the Wigan Gas Meter and Fitting Company by its new Name of the Wigan Gas Company, the Consideration being that each Shareholder of the Wigan Gaslight Company should receive Two Shares of 10*l.* each in the Wigan Gas Company in exchange for every Share held by him in the Wigan Gaslight Company; and that it is expedient that the Wigan Gas Meter and Fitting Company should be incorporated by such Name as aforesaid, and that the recited Act should be repealed, and that the Wigan Gaslight Company should be dissolved, and that the Works, Plant, and Undertaking of that Company should be vested in the Wigan Gas Meter and Fitting Company by its new Name, and that Powers should be given to such last-mentioned Company to raise additional Capital, to erect additional Gasworks, and to manufacture and light with Gas as well the said Borough of Wigan as also the Places adjoining or near thereto herein-after mentioned.

Incorporation of Companies, Lands, and Gasworks Clauses Acts, § 2.
Limits of Act, § 4.
Restricting Limits of Company in Township of Hindley, § 5.
Incorporation of Company, § 6.
Repeal of Act, § 7.
10 & 11 Vict. c. 15. to apply to existing Works, § 8.
Present Property vested in Company incorporated by this Act, § 9.
Saving previous Rights and Liabilities, §§ 10 to 12.
Liabilities of Shareholders, §§ 13 to 15.
Capital, § 20.
Appropriation of Shares to Wigan Gaslight Company, § 21.
Appropriation of Shares to the Joint Stock Company, § 22.
Existing Trusts, &c. attached to new Shares, § 23.
Company to call in and cancel existing Share Certificates and issue new Certificates in lieu thereof, § 25.
Creation and Issue of new Shares, § 28.

Power to borrow on Mortgage, § 29.
Meetings; Directors, &c., §§ 31 to 37.
Power to purchase Lands, § 38.
Describing Lands, § 39.
Powers as to present Works, and as to the Construction of Gasworks, &c., § 40.
Limiting the Price of Gas, § 41.
Customers may be required to consume Gas by Meter, § 43.
Penalty for tampering with Meters, § 44.
Quality of Company's Gas, §§ 47 to 50.
Company not to interfere with Sewers of Local Board, § 51.
Company to light Streets, § 52.
Company to light Premises, &c. on Requisition; Penalty on not furnishing Supply of Gas for 14 Days, §§ 53, 54.
Company to cause Map to be made, §§ 56 to 58.
For the Protection of Water Pipes, § 59.
To prevent Contamination of Water by Gas, §§ 60 to 63.
Recovery of Sums due to Company, §§ 64 to 68.
Power to Company to sell Undertaking to Local Board, § 69.
Power to Local Board to borrow upon General Rate, or to raise Special Rate for Purposes of purchasing Works of Company, § 70.
Local Board empowered to manufacture and sell Gas, &c. on Purchase, § 71.
Application of Purchase Money, § 72.
Dissolution of the Company on Sale, § 73.

Cap. clxxi.

"The Waveney Valley Railway Act, 1861."

Preamble recites that by virtue of the Acts relating to them the Waveney Valley Railway Company have completed the Construction of their Railway between the Tivetshall Station of the Eastern Counties Railway and the Town of Bungay, a Distance exceeding Thirteen Miles, and the greater Part of that Portion of the Railway has long been opened for public Traffic, and the Company have made considerable Progress towards the Construction of the Remainder of their Undertaking between Bungay and Beccles; that the present Share Capital of the Company consists of 80,000*l.*, authorized by the Waveney Valley Railway Act, 1851, and of 40,000*l.* authorized by the Waveney Valley Railway Act, 1853, making a Total of 120,000*l.*; and the Amounts which the Company are authorized to borrow are 26,666*l.* by the first-mentioned Act, and 9,000*l.* by the said Act of 1853, making a Total of 35,666*l.*; and it is expedient that the Company should have Power to borrow to the Extent of 40,000*l.*, being One Third of the Share Capital of the Company, and also that they should have Power to attach a Preference to such Shares in their Capital as may from Time to Time be forfeited for Nonpayment of Calls and be re-issued, and that they should likewise be enabled to convert their Mortgage Debt from Time to Time into an irredeemable

Debenture Stock upon the Conditions herein-after contained; and that there are no Shares of the Company entitled to any Preference or Priority of Dividend.
Power to borrow 4,334*l.*, § 1.
Power to cancel Shares for Nonpayment of Calls, § 4.
Power to issue forfeited Shares with preferential Dividend, § 5.
Limiting Dividends to Profits of Year, § 6.
Application of Money raised under this Act, § 8.
Authorizing Creation of Debenture Stock, § 9.
Saving Mortgages and Bonds; Debenture Stock to extinguish Debt, § 10.
Application of Debenture Stock, § 11.
As to Votes of Holders of Debenture Stock, and Transfer and Registry of Stock, § 12.

Cap. clxxii.

"The Dublin Corporation Waterworks Act, 1861."

Preamble recites the Acts 6 Geo. 1. c. xvi. (I.), 13 & 14 Geo. 3. c. 22. (I.), 15 & 16 Geo. 3. c. 24. (I.), 19 & 20 Geo. 3. c. 13. (I.), 28 Geo. 3. c. 50. (I.), 30 Geo. 3. c. 42. (I.), 33 Geo. 3. c. 56. (I.), 42 Geo. 3. c. xcii., 49 Geo. 3. c. lxxx., 6 & 7 Vict. c. cii., 8 & 9 Vict. c. cxciii.; and that by Letters Patent bearing Date the 31st Day of July in the 24th Year of Her Majesty's Reign, Her Majesty did authorize and appoint John Hawkshaw, Civil Engineer, to be Her Majesty's Commissioner for the Purpose of inquiring into the State of the present Supply of Water to the City of Dublin, the Necessity which exists for an improved Supply, and also as to the best Source from whence such improved Supply could be obtained; and that the said Commissioner, having duly inquired into the said Matters, made his Report thereon bearing Date the 20th of October 1860; and that the said Commissioner has reported; 1, that the State of the present Supply of Water to the City of Dublin is bad; 2, that there is urgent Need of an improved Supply; and 3, that the best Source from which an improved Supply can be obtained is the River Vartry; and it is expedient that the Right Honourable the Lord Mayor, Aldermen, and Burgesses of Dublin should be empowered to take Water from the said River, situate in the County of Wicklow, and to construct Works for conveying, collecting, and storing of Water, and supplying the same to the Inhabitants of the Borough of Dublin and its Vicinity, and the several Towns and Places herein-after mentioned, and to levy and receive Rates, Rents, Remunerations, and Charges in respect of the present and future Supply of Water within the Limits of this Act; that under the recited Acts or some of them, the Corporation have borrowed the Sum of 72,000*l.* or thereabout on Mortgages or Debentures which are now outstanding, and it is expedient that the Corporation should make further and better Arrangements relative to such Debentures or Mortgages, and that the Powers of the said Acts or some or

One of them should be altered, amended, or repealed; and that the Corporation should be empowered to raise further Sums of Money for the Purpose of constructing the said Works and for other Purposes.

Lands Clauses and Waterworks Clauses Acts incorporated with this Act, §§ 3, 4.

Council to carry Act into execution, § 5.

Council to call Special Meeting for that Purpose, § 6.

Committee to be appointed, § 7.

Proceedings of Committee, § 8.

Minute Book of Proceedings of Committee to be kept and to be open to Inspection, § 9.

Limits of Act.

10. The Limits of this Act shall comprise and include the Borough of Dublin in the County of the City of Dublin and also the several Parishes, Townships, and Extra-parochial and other Places; (that is to say,) Saint Peter, Donnybrook, Saint Mark, Booterstown, Taney, Monkstown, Rathfarnham, Saint Nicholas Without, Saint James, Saint Catherine, Saint George, Glasnevin, Grangegorman, Clonturk, Clontarf, Killester, Stillorgan, Kill, Kilmacud, Crumlin, Dalkey, Killiney, Tully, Rathmichael, Old Connaught, Rathmines, Kingstown, Blackrock, and Bray, all in the County of Dublin; and Bray, Powerscourt, Kilmacanoge, Delgany, Kilcoole, Calary, Lower Newcastle, Upper Newcastle, Derrylossary, and Killiskey, all in the County of Wicklow; and the Limits above described shall be and are herein termed the Limits of this Act, and the said Parishes, Townships, and Extra-parochial and other Places within the said Limits, other than the Borough of Dublin, are herein-after designated and referred to as the Extra-municipal Districts.

Power to construct Works according to deposited Plans, § 11.

Certain Persons may grant Leases of Lands, § 12.

Limiting compulsory Power to purchase Land or Easements, § 13.

Limits of Deviation, § 14.

Regulations of Railways Clauses Consolidation Act applied to Roads, &c. interfered with, § 15.

Additional Land for Waterworks, § 16.

Four Years for purchasing Lands by Compulsion, § 17.

Seven Years for Completion of Works, § 18.

Works not required may be disposed of, § 19.

Power for a Judge to order Inquiry into State of any Reservoir, §§ 20 to 29.

Corporation may draw off Water from Reservoirs for the Purpose of Repairs and cleansing, § 30.

Any Act to be done before Justices under this Act may be done before Divisional Justice of Police District, § 31.

Corporation to make Compensation to Earl of Meath for his Rights before supplying Water within his Liberty, § 32.

As to Trinity College, Dublin, § 33.

Exemption of Kilmainham Hospital from Rates, § 34.

For Protection of Earl Fitzwilliam, § 35.

For Protection of Owners of Mount Kennedy Estate, § 36.

Dividend thereon, how to be paid.

45. The said new Shares or Stock shall be entitled to the preferential Dividend, if any, which may have been appointed by the Caledonian Company as aforesaid, out of the Profits of each Year, commencing on the 1st Day of February, in priority to the ordinary Shares in the Company; but if in any such Year there shall not be Profits available for the Payment of the full Amount of such preferential Dividend for that Year, the Deficiency or any Part thereof shall not be made good out of the Profits of any subsequent Year, or out of any other Funds of the Company.

Conditions of Preference Shares to be stated on Certificates thereof, § 46.

Power to Caledonian Company to borrow on Mortgage.

47. When and so soon as the said additional Capital of 25,000*l.* shall have been subscribed for, and One Half thereof shall have been paid up, it shall be lawful for the Caledonian Company from Time to Time to borrow on Mortgage, and if paid off again to borrow, any Sum or Sums of Money not exceeding in the whole 8,300*l.*, in addition to the Amount which they are or may be authorized to borrow by any other Act of Parliament: Provided always, that no Part of such Sums shall be borrowed until the Caledonian Company shall have proved to the Sheriff who is to certify, under the Provisions contained in the 42d Section of "The Companies Clauses Consolidation (Scotland) Act, 1845," that the whole of such additional Capital has been subscribed for bonâ fide, and is held by the Subscribers, or their Executors, Administrators, or Assignees, and for which such Subscribers, or their Executors, Administrators, or Assignees, are legally liable: Provided also, that the Sums so to be borrowed under the Powers of this Act shall be applied only to the Objects and Purposes by this Act authorized; provided further, that all Mortgages, Bonds, and Debenture Stock for which or for the Interest whereof the Caledonian Company are lawfully liable, and which shall be in force at the Time of the passing of this Act, shall during their Subsistence have Priority over any Mortgage to be granted by that Company under the Powers of this Act.

Cap. clxvii.

"The Marlborough Railway Act, 1861."

Preamble recites that it is expedient to authorize the Construction of a Railway from the Berks and Hants Extension Railway to Marlborough in Wiltshire, and to empower the Great Western Railway Company to work the Railway when made and to subscribe to the Undertaking.

Incorporation of Consolidation Acts, § 1.

Subscribers incorporated, with Capital of 45,000*l.*, and Power to borrow 15,000*l.*, §§ 3 to 6.

Meetings; Directors, &c., §§ 7 to 11.

Quorum, § 12.

Power to Great Western Railway Company to subscribe, and to apply the Funds for that Purpose, § 13.

Power to make Railway, §§ 15, 16.

As to Bridge over Road in Wootton Rivers, § 17.
Regulating Inclination of certain Roads, § 18.
Communication with Berks and Hants Extension Railway, §§ 19 to 22.
Lands to be bought by Compulsion within Three Years, § 24.
Four Years for Completion of Railway, §§ 25, 26.
Tolls, §§ 27 to 35.
Power to enter into Traffic Arrangements with Great Western Company, § 36.
Conditions of such Agreements, § 38.
Schedule.—Agreement with Great Western Railway Company.

Cap. clxviii.

"The Rathkeale and Newcastle Junction Railway Act, 1861."

Preamble recites that the making of a Railway from the Limerick and Foynes Railway to the Town of Newcastle in the County of Limerick would be of great public Advantage; and that it is expedient to enable the Limerick and Foynes Railway Company and the Cork and Limerick Direct Railway Company to subscribe towards and hold Shares in the Undertaking of the Company; and to enable the Company and the Limerick Company to enter into Agreements for the working by the Limerick Company of the Traffic upon the Undertaking of the Company.

Incorporation of Consolidation Acts, § 2.
Subscribers incorporated, with Capital of 50,000*l.*, and Power to borrow 16,600*l.*, §§ 3 to 7.
Meetings; Directors, &c., §§ 11 to 20.
Power to make Railways, § 21.
Three Years for Lands to be purchased by Compulsion, § 25.
Five Years for Completion of Railway, § 26.
Level Crossings, §§ 27 to 29.
As to Communication with the Limerick and Foynes Railway, §§ 30 to 32.
Tolls, §§ 33 to 42.
Power to enter into Working Arrangements, §§ 43 to 47.
Power for Limerick Company to contribute towards Funds of Company, § 48.
Power for Cork Company to contribute towards Funds of Company, § 49.
Power for contributing Company to raise and apply Monies for Contribution towards Funds of Company, § 50.
Shares created by Limerick Company may be ordinary or preferential, but Shares created by the Cork Company are to be ordinary Shares only, § 51.
Sanction of Shareholders for Contribution by Limerick and Cork Companies towards Funds of Company, § 52.
Nominees of Two Companies to vote at Meetings of Company, § 53.
Instruments of Appointment and Removal of Directors and of Appointment and Revocation of Nominees, §§ 54, 55.

Incorporation of Lands Clauses and Gasworks Clauses and Parts of Commissioners Clauses Acts, § 2.
Act to be executed by Corporation, § 4.
Corporation may sell, &c. Bolton Moor Reservoirs, § 5.
Power for Corporation to take Lands for Purposes of Act, §§ 6, 7.
Three Years for compulsory Purchase of Land, § 8.
Power to make and maintain new Streets and Improvements of Streets, § 9.
Streets to be improved, § 10.
Power to borrow on Bond or on Mortgage, &c. of Borough Fund, &c., § 11.
Limit of Amount borrowed, § 12.
Priority of Mortgages, § 14.
Priority of existing Securities generally, § 15.
Sinking Fund, § 16.
Application of Purchase Monies for Bolton Moor Reservoirs, § 17.
Application of Monies borrowed under Act, § 18.
Accounts, §§ 20, 21.
Auditors, § 22.

Cap. clxxiv.

"The Brighton, Uckfield, and Tunbridge Wells Railway Act, 1861."

Preamble recites that the Construction of a Railway from the Uckfield Branch of the London, Brighton, and South Coast Railway at Uckfield in the Parish of Uckfield in the County of Sussex to the Town of Tunbridge Wells in the County of Kent would be of great public and local Advantage.
Incorporation of Consolidation Acts, § 1.
Subscribers incorporated, with Capital of 200,000*l.*, and Power to borrow 65,000*l.*, §§ 3 to 7.
Directors, §§ 8 to 10.
Power to make Railway, §§ 11, 12.
Junctions with the London, Brighton, and South Coast Railway Company and South-eastern Railway Company, §§ 13 to 17.
Company not to interfere with Waterworks of Sir Charles Locock, Baronet, § 18.
Company to erect Station at Hamswell Bridge, § 19.
Level Crossings, §§ 20 to 22.
Width of Bridge in the Parish of Frant, § 24.
Three Years for compulsory Purchase of Lands, § 26.
Four Years for Completion of Works, § 27.
Tolls, §§ 29 to 37.
Power to other Companies to subscribe to Undertaking, § 38.
Power to raise Funds for these Purposes, § 39.
Power for the Company and the London, Brighton, and South Coast Railway Company or the South-eastern Railway Company to enter into Working Arrangements, §§ 40 to 46.

Cap. clxxv.

"The Stockport, Timperley, and Altrincham Junction Railway Act, 1861."

Preamble recites that the making and maintaining of a Railway commencing by a Junction with the authorized Line of the Stockport and Woodley Junction Railway, and terminating by a Junction with the Warrington and Stockport Railway, with Two Branches therefrom terminating by Junctions with the Manchester South Junction and Altrincham Railway, and another Branch therefrom terminating at a Point near to the Broad Heath Canal Bridge, and the making and maintaining of Access to the Railway by means of a Road commencing by a Junction with the Manchester and Wilmslow Turnpike Road, and terminating by a Junction with the Road leading from Northenden to Baguley Sale and Altrincham, would be of public and local Advantage; and that whereas on the deposited Plans and Sections a Branch Railway is laid down and shown as intended to commence in the Township of Timperley in the Parish of Bowdon, and to terminate by a Junction with the authorized Line of the Cheshire Midland Railway in the Township of Altrincham in the same Parish, and so much of the said Line of Railway delineated on the said Plans as is situate between a Point opposite the Northerly End of the Gatekeeper's Lodge on the Manchester South Junction and Altrincham Railway, numbered 94 on the said Plans in the Township of Timperley, and the Junction with the Cheshire Midland Railway at the Terminus of the said proposed Railway in the Township of Altrincham, as shown on the said Plans, runs parallel or nearly so with the Line of the Manchester South Junction and Altrincham Railway, and inasmuch as it is inexpedient that a Second Line of Railway should be made between the Points aforesaid, it has been agreed between the Company and the Manchester South Junction and Altrincham Railway Company that the said proposed Railway shall terminate by a Junction with the Manchester South Junction and Altrincham Railway at or near the said Point in the Township of Timperley numbered 94 on the said Plans, and that Provision shall be made for effecting such Junction between the said proposed Railway and the Manchester South Junction and Altrincham Railway, and for the working over and Use by the Company and certain other Companies of such Portion of the Manchester South Junction and Altrincham Railway as intervenes between the Junction therewith of the said proposed Railway in the Township of Timperley and the Junction therewith of the Cheshire Midland Railway, as authorized by "The Cheshire Midland Railway Act, 1860," at Altrincham in the Parish of Bowdon, and also for the Use by the said Company and certain other Companies of the Station at Altrincham, and Part of the Works and Conveniences of the Manchester South Junction and Altrincham Railway Company; and also that it is expedient that the Manchester, Sheffield, and Lincolnshire Railway Company

and the Great Northern Railway Company, and the Owners for the Time being of the Bridgewater Canal, respectively, or some of them, be authorized to contribute towards the Funds of the Company, and to appoint Directors of the Company; and that the Company and all Persons lawfully using the Railways of the Company be authorized to work over and use the Railways, Stations, Works, and Conveniences of the Stockport and Woodley Junction Railway Company and the Cheshire Midland Railway Company; and also that Provision be made for facilitating the Interchange and Transmission of Traffic using the Railways by this Act authorized and the Railways of the Stockport and Woodley and Cheshire Midland Railway Companies respectively.

Incorporation of Companies, Lands, and Railways Clauses Acts, § 2.

The Stockport, Timperley, and Altrincham Junction Railway Company incorporated, with a Capital of 150,000*l.*, and Power to borrow 50,000*l.*, §§ 4 to 8.

Directors, §§ 11 to 15.

Three Years for compulsory Purchase of Lands, § 18.

Power to make Works, §§ 20 to 23.

Power to alter Engineering Works, § 24.

Junctions how to be made, §§ 25 to 27.

Five Years for Completion of Railways and Works, § 29.

Period for Completion of Road, § 31.

Tolls, §§ 32 to 40.

Power for Company to work over Railways of the Stockport and Woodley and Cheshire Midland Railway Companies, §§ 41, 42.

Fares and Rates on other Railways used by Company, § 43.

Power to Earl of Ellesmere on contributing Capital for Third Branch Railway to use Railway and Works, § 44.

The Company, the other Railway Companies, and Owners of Bridgewater Canal to afford Traffic Facilities to each other, §§ 45, 46.

Bridge over the Manchester South Junction and Altrincham Railway, § 47.

Manchester South Junction and Altrincham Railway Company to permit a Junction to be made with their Railway in the Township of Timperley, §§ 48 to 51.

Running Power over Part of the Manchester South Junction and Altrincham Railway, § 52.

Arbitration, § 53.

Reservation of Rights of the Manchester South Junction and Altrincham Railway Company, § 54.

The Sheffield and Great Northern Companies may subscribe for Shares, §§ 55, 56.

Directors of Company for the Sheffield and the Great Northern Companies, § 57.

Line to be efficiently worked by the Sheffield Company, § 58.

Power to London and North-western to use Portion of Stockport and Altrincham Railway, § 59.

If Line not so worked by the Sheffield Company, the Company may work over Portion of Railway between Timperley, Garston, &c., § 60.
Disputes between the Company and the London and North-western Company to be settled by Arbitration, § 61.
Director of Company for Owners of Bridgewater Canal, § 62.
Directors for contributing Parties, §§ 63 to 67.
Power for Company, and the other Companies, and Owners of the Bridgewater Canal to agree for Purposes authorized, § 69.
Purposes for which the Agreement may be made, § 70.
Agreement not to extend to Companies or Trustees not Parties thereto, § 71.
Restrictions as to Agreement between the Company and the respective Companies and the Owners of the Bridgewater Canal, § 72.
Approval by the Board of Trade, § 73.
Agreements between Company and respective Companies and the Owners of the Bridgewater Canal may be modified by Board of Trade, § 74.
Power for contributing Companies to raise Monies for Contribution to Funds of Company, § 75.
Regulations as to new Shares, §§ 76 to 84.

Cap. clxxvi.

"The Hawick Municipal Police and Improvement Act, 1861."

Preamble recites that the existing Burgh of Hawick, lying in the Parish of Hawick and County of Roxburgh, was, by Charter of James Douglas of Drumlanrig, Baron of the Barony of Hawick, dated the 11th Day of October 1537, constituted and incorporated into a free Burgh of Barony, with Power to create and ordain annually Bailies and other necessary Officers for the Government of said Burgh, and with other Rights and Privileges, which Charter was confirmed in all Points by a Royal Charter of Confirmation of Date the 12th Day of May 1545, and the Constitution and Property of the said Burgh have been further regulated and modified by sundry judicial and other Decrees and Writings; that the Burgh has been managed and its Affairs administered by a Body of Councillors and Bailies, under the said Charters and Writings; and that the Town and Neighbourhood of Hawick have of late Years greatly increased in Population, and become the Seat of large Works and Establishments in Manufactures and other Branches of Industry; and that the existing Constitution of the Burgh has become antiquated, and incapable of meeting the present Wants and Requirements of the Town and Neighbourhood; recites 3 & 4 W. 4. c. 46., 3 & 4 W. 4. c. 76., and 13 & 14 Vict. c. 33.; and that it is expedient that Provision should be made for altering the Constitution of and for regulating the Burgh of Hawick, and for extending the Boundaries thereof, and for transferring to the new Council and Magistrates the Pro-

perty of the old Corporation and of the said Commissioners of Police, and also for regulating the Police, and the Jurisdiction and Powers of the Magistrates, and for draining, cleansing, lighting, watching, and improving the said extended Burgh, and for repairing and maintaining the Streets and Roads within the Burgh, and for keeping up and increasing the Supply of Water to the Inhabitants, and for other Purposes bearing on the good Government and Improvement of the Burgh.

Boundaries of Burgh of Hawick, § 3.
Certified Copies of Map of Burgh to be Evidence, § 4.
Limits of Act, § 5.
Number of Councillors and Magistrates, § 6.
Qualification of Councillors, § 7.
Qualification of Electors of Councillors, § 8.
Division into Wards, § 9.
First List of Electors how to be made out, § 10.
First Election of Councillors, § 11.
List of Electors to be made up annually, § 12.
Election of Provost, Magistrates, and Treasurer, § 13.
Portions of the Act 8 & 4 Will. 4. c. 76., adopted and incorporated, § 14.
Disputes regarding Elections how to be settled, § 15.
The Chief Magistrate or Senior Magistrate to preside at first Election, § 16.
Council may act though not full, § 17.
Appointment of Town Clerk, § 18.
Existing Magistrates, Councillors, &c. to go out of Office, § 19.
Repeal of all Laws, Customs, Charters, &c. inconsistent with this Act, § 20.
Property of old Corporation vested in new, § 21.
Water Annuity, § 22.
Monies, Books, &c. of old Corporation to be paid and delivered to new Corporation, § 23.
Magistrates elected under this Act to administer the Affairs of the Burgh and exercise Jurisdiction, § 24.
Provost to be Trustee, &c. in place of eldest Bailie, § 25.
Parochial Arrangements not to be affected, § 26.
Tenures and Records preserved, § 27.
Police Accounts, how to be kept, § 28.
Debts of old Corporation to be paid by new Corporation, § 29.
Subsisting Contracts may be enforced against new Corporation, § 30.
Actions not to abate, § 31.
Present and future Rights and Liabilities saved, § 32.
Incorporation of 3 Geo. 4. c. 91., § 33.
13 & 14 Vict. c. 33., with certain Exceptions, incorporated with this Act, § 34.
Broker to include Dealer in Rags, &c., § 35.
Assessment of Land used as arable Ground, &c., or as Railways, § 36.
Magistrates and Council to be Commissioners, § 37.
Meetings of Commissioners and their Committees, § 38.
Superintendent of Police, § 39.

New Streets, &c., § 40.
Byelaws, § 41.
General Assessments, § 42.
Proprietors of Premises under 4*l.* to be chargeable with Assessments, § 43.
Assessment to be apportioned, and Party not benefited entitled to Relief, § 44.
Recovery of Rates, § 45.
Nuisances Removal Act applied, § 46.
Smoke Nuisance Act applied, § 47.
Agreements with Trustees of Turnpike and Statute Labour Roads within the Burgh, § 48.
Commissioners may improve Market Places, &c., § 49.
Charges for Use of Market Places, &c., § 50.
Stalls, &c. may be let, § 51.
Certain Provisions of "The Waterworks Clauses Act" incorporated with this Act, § 52.
Reservoirs, &c. to be maintained by Commissioners, § 53.
Rate for private Supply of Water, § 54.
Domestic Supply of Water, § 55.
Commissioners may give Supply of Water for Purposes other than domestic, § 56.
Owners Water Rate, § 57.
Lands Clauses Consolidation (Scotland) Act in part incorporated with this Act, § 58.
Procedure under Act, §§ 59 to 61.
Mode of ascertaining Rackrent or annual Value, § 62.
SCHEDULE (A.) Description of intended Boundaries.
SCHEDULE (B.) Division of Burgh into Wards.

Cap. clxxvii.

"The Kinross-shire Railway (Branches) Act, 1861."

Preamble recites that by "The Kinross-shire Railway Act, 1857," the Kinross-shire Railway Company were incorporated, and empowered to make a Railway from the Dunfermline Branch of the Edinburgh, Perth, and Dundee Railway to Kinross, with a Branch to Kingseat; and by "The Fife and Kinross and Kinross-shire Railway Junction and Joint Station Act, 1858," the Kinross-shire Railway Company were authorized to divert Part of their said Railway, to make an Extension thereof, and construct a Joint Station along with the Fife and Kinross Railway Company at Kinross; that the Company have constructed the Main Line of Railway from the Dunfermline Branch of the Edinburgh, Perth, and Dundee Railway to Kinross, as also the Extension thereof authorized as aforesaid, and the same have been opened for Traffic; that the West of Fife Mineral Railway Company have obtained Power to construct a Railway over Part of the Line included in the said Branch to Kingseat, and it is expedient that the Company should be authorized to relinquish the Construction of the said Branch; and to construct a short connecting Branch from their said Main Line at or near the Kelty Station to the

intended Terminus of the Railway authorized to be made by the West of Fife Mineral Railway Company, by "The West of Fife Mineral Railway (Kingseat Extension) Act, 1860," in lieu of the Kingseat Branch authorized by "The Kinross-shire Railway Act, 1857," and another short connecting Branch from their Main Line at Kinross to join the Devon Valley Railway; and also that it is expedient that reciprocal Running Power should be given to the West of Fife Mineral Railway Company and the Company, or the Edinburgh, Perth, and Dundee Railway Company, over certain Parts of the West of Fife Mineral Railway and of the Kinross-shire Railway; and that the Company and the Edinburgh, Perth, and Dundee, and Devon Valley Railway Companies should be enabled to enter into Working Agreements.

Incorporation of General Consolidation Acts, § 3.
Power to make Railway, §§ 4, 5.
Junction with the West of Fife Mineral Railway, § 6.
Reciprocal Running Powers to West of Fife Mineral Railway Company and Company, § 7.
Junction with Devon Valley Railway, § 8.
Lands and Works of Devon Valley Railway not to be interfered with except with Consent, § 9.
Relinquishment of Kingseat Branch, § 11.
Power to apply Funds for Construction of new Railways, § 12.
Two Years for compulsory Purchases limited, § 13.
Three Years for Completion of Works, § 14.
Working Agreements with Edinburgh, Perth, and Dundee Railway Company, § 17.
Working Agreements with Edinburgh, Perth, and Dundee Railway Company and Devon Valley Railway Company, § 18.

Cap. clxxviii.

"The Saffron Walden Railway Act, 1861."

Preamble recites that the making of a Railway from the Eastern Counties Railway to Saffron Walden in the County of Essex would be of public Advantage.
Incorporation of Consolidation Acts, § 1.
Subscribers incorporated, with Capital of 25,000*l.*, and Power to borrow 8,000*l.*, §§ 3 to 6.
Meetings; Directors, &c., §§ 7 to 12.
Power to Eastern Counties Railway Company to subscribe, and to apply their Funds for that Purpose, § 13.
Power to make Railway according to deposited Plans, § 15.
Communication with Eastern Counties Railway how to be made, §§ 17 to 20.
Confirmation of Agreement entered into by Directors on behalf of the Company, § 21.
Lands to be bought by Compulsion within One Year and a Half, § 22.
Three Years for Completion of Works, § 23.

Tolls, §§ 25 to 33.
Power to enter into Traffic Arrangements with Eastern Counties Railway, §§ 34 to 40.

Cap. clxxix.

"The Conway and Llanrwst Railway Act, 1861."

Preamble recites that by "The Conway and Llanrwst Railway Act, 1860," the Conway and Llanrwst Railway Company were incorporated, for the Purpose of constructing a Railway from the Chester and Holyhead Railway near Conway to Llanrwst; and that it is expedient that the Company should be empowered to alter the Line and Levels of Portions of their Railway as authorized by the recited Act; and to raise a further Sum of Money.
Incorporation of Consolidation Acts, § 2.
Power to make Railways, &c., § 5.
Where Railway extends into River Conway, no Deviation to be made riverward from Centre Line, § 6.
If Deviation made without Consent, Admiralty may abate same, § 7.
Where Centre Line of Railway cuts off Access between Land and Water, Company to make Communications, § 8.
Admiralty may require Works abandoned, &c. to be removed, § 9.
Admiralty may order local Survey, § 10.
Power to cross certain Road on the Level, §§ 11 to 13.
Power to alter Engineering Works, § 15.
Company to abandon Portion of authorized Line of Railway, § 16.
Compensation, § 17.
Two Years for the compulsory Purchase of Lands, § 19.
Three Years for Completion of Railway, § 20.
Deposit in Court of Chancery to be forfeited to the Crown in a certain Event, § 21.
Court of Chancery to order Transfer to Company of Monies in respect of reduced Estimates, § 22.
Treasury Solicitor to cancel Bond given under recited Act, § 23.
Power to raise additional Capital, § 24.
Regulations as to new Capital, §§ 26 to 28.
Power to borrow on Mortgage 3,300*l.*, §§ 29, 30.

Cap. clxxx.

"The East Suffolk Railway Act, 1861."

Preamble recites that by "The East Suffolk Railway Companies Amalgamation Act, 1858," the Undertakings of the Yarmouth and Haddiscoe Railway Company, of the Lowestoft and Beccles Railway Company, and the East Suffolk Railway Company became united and consolidated into One Undertaking, and the Yarmouth and Haddiscoe and Lowestoft and Beccles Railway Companies were dissolved; and by "The East Suffolk Railway (Branch and Capital) Act, 1858," and "The East Suffolk Railway Act, 1859," further

Powers were conferred upon the East Suffolk Railway Company; that the Share Capital which the Company are authorized to raise by the said Acts is the Sum of 1,020,000*l.*, and they are authorized to borrow 340,000*l.*; that they have opened for public Traffic all the Railways and Branches authorized to be made by the Acts relating to the Company, and have entered into certain Agreements for a Lease of the Undertaking of the Company to Sir Samuel Morton Peto, Baronet, and into certain Working Arrangements with the Eastern Counties and Norfolk and Eastern Union Railway Companies; that on the 1st Day of December 1860, 93,724 Shares of 10*l.* each were registered in the Books of the Company, upon which Shares the Sum of 729,390*l.* had been paid, and the Sum of 340,000*l.* had been borrowed, and all Shares fully paid up had been converted into Stock, to the Amount of 528,430*l.*; that certain of the Shares authorized to be created by the Company have become forfeited, or have been surrendered to the Company, and other Shares have not been fully paid up; and the Company have not issued any Preference Shares; that by "the Amalgamation Act" Provision is made for the Determination of the Lease authorized by that Act, by a Majority of Three Fourths of the Votes present at a Special Meeting of the Company, subject to a Power of Appeal by the Lessee to the Board of Trade, and to the Condition that the Company should pay off any dissentient Shareholder at Par within a limited Period, but no Funds are appropriated or authorized to be raised for paying off such dissentient Shareholders, nor for the Purpose of enabling the Company to provide Rolling Stock in the event of the Determination of the Lease or of the Agreements for a Lease herein-before mentioned, and also of the Working Agreement with the Eastern Counties, Norfolk, and Eastern Union Railway Companies, and it is expedient that the Powers herein-after contained should be conferred upon the Company; and whereas the Lessee contracted for the Construction of the Railway, and for the Lease thereof when completed, and for the Deposit of Securities to the Extent of 100,000*l.* for ensuring the due Performance of the Covenants of the Lease under the Expectation that the Landowners of the District through which the Railway passes and the Public would subscribe for and provide the requisite Share Capital, but less than One Fourth of the authorized Share Capital was subscribed for and taken by the Landowners and the Public, and upwards of Three Fourths of the paid-up Shares and Stock now standing registered in the Books of the Company are held by the Lessee and Parties acting in concert with him, such Shares or Stock having been accepted in lieu of Cash Payments for the Construction of the Railway; that the Lessee is desirous that the Agreement for the Lease of the Railway should not be carried into effect, and the Company at a General Meeting have approved of the Proposal for that Object, subject to the Conditions in this Act contained for the paying off at Par, or retaining as Prefer-

ence Shares or Stock, the Shares or Stock of those Proprietors who may desire either to be paid off or have their Shares or Stock converted into Preference Shares or Stock; that the several Persons whose Names are set forth in the Schedule holding the Shares or Stock mentioned in such Schedule, and representing more than Three Fourth Parts of the Capital on the Register of the Company, are willing and have consented to such Capital remaining as ordinary Shares or Stock of the Company.

Incorporation of Parts of Companies Clauses Consolidation Act, § 2.

Directors may accept Surrenders of Shares issued, and re-issue same, § 4.

Company may cancel forfeited Shares and create new Shares in lieu thereof, §§ 5, 6.

In the event of Lease or Agreement being rescinded, Arrangements with Shareholders, §§ 7 to 10.

Amount of ordinary Stock extinguished to Extent of Conversion, § 12.

Shares specified in Schedule to remain ordinary Shares, § 13.

Preference Shares to be issued for certain Purposes, § 14.

Borrowing Powers to be extinguished to Extent of Preference, Shares created, § 15.

Saving existing Preference Shares, § 16.

Company may issue certain other Shares as Preference Shares, § 17.

Preferential Dividends not to carry Arrears beyond One Year, § 18.

Agreement with Eastern Counties Company not to be prejudiced, § 19.

Cap. clxxxi.

"The Aberystwith and Welsh Coast Railway Act, 1861."

Preamble recites that the making of Railways from Aberystwith to Towyn, Barmouth, Portmadoc, and Machynlleth would be of great local and public Advantage; and that it is expedient that the Oswestry and Newtown Railway Company and the Llanidloes and Newtown Railway Company or either of those Companies should be authorized to contribute towards the Funds of the Company by this Act incorporated, and to vote at Meetings thereof; and that the Oswestry Company, the Llanidloes Company, the Mid-Wales Railway Company, and the Shrewsbury and Welchpool Railway Company or any of those Companies, on the one hand, and the Company on the other hand, should be authorized to enter into certain Agreements.

Incorporation of Consolidation Acts, § 2.

Company incorporated, with a Capital of 400,000*l.*, and Power to borrow 133,000*l.*, §§ 3 to 7.

Meetings; Directors; Advertisements, &c., §§ 11 to 17.

Power to make and maintain Railways, § 18.

Admiralty Provisions, §§ 19 to 26.

Three Years for compulsory Purchase of Lands, § 29.
Four Years for Completion of Railways Number 1, 2, 3, and 5, § 30.
Five Years for Completion of Railway Number 4, § 31.
If Railway Number 5 be not completed within the prescribed Period Company not to oppose another Bill for authorizing that Railway, § 32.
As to Construction of Railway Number 5 between certain Points, § 33.
As to Works over the River Dysyni, § 34.
Any Land reclaimed by the Works not to be taken without the Consent of the Commissioners of Woods, &c., § 35.
Junction with other Railway to be made in manner most approved, §§ 36 to 38.
Land not to be entered upon except for forming Junction without the Consent of the Machynlleth Company, § 39.
Saving Rights of the Newtown and Machynlleth Railway Company, § 40.
Station to be erected at Bow Street, § 41.
Level Crossings, §§ 42 to 45.
Tolls, §§ 47 to 54.
Power for Oswestry Company to contribute towards Funds of Company, § 55.
Power for Llanidloes Company to contribute towards Funds of Company, § 56.
Power for contributing Company to raise and apply Monies for Contribution towards Funds of Company, § 57.
Payment of preferential Dividend by Company, § 58.
Sanction of Shareholders for Contribution by other Companies towards Funds of Company, § 61.
Nominees of subscribing Companies to vote at Meetings of Company, § 62.
Power for Company and other Companies to agree for Purposes authorized, §§ 66, 67.
Restrictions on Agreements between Companies, §§ 68 to 75.
Saving Rights of the Crown, § 76.

Cap. clxxxii.

"The Bishop Stortford, Dunmow, and Braintree Railway Act, 1861."

Preamble recites that the Establishment of a Railway from the Northern and Eastern Railway at Bishop Stortford, through Dunmow, to the Braintree Branch of the Eastern Counties Railway at Braintree, with a Branch to join the authorized Line of the Dunmow Extension of the Epping Railways at Dunmow, would be of public and local Advantage; and it is expedient that the Eastern Counties Railway Company be authorized to contribute towards the Funds of the Company, and that the Company and the Eastern Counties Company be authorized to make Working and Traffic Arrangements.
Incorporation of Consolidation Acts, § 2.

Incorporation of Company, with Capital of 120,000*l.*, and Power to borrow 40,000*l.*, §§ 4 to 8.
Meetings; Directors; Advertisements, &c., §§ 10 to 15.
Power to make Railway, §§ 16, 17.
Power to alter Engineering Works, § 18.
Five Years for Completion of Works, § 21.
Junctions with Eastern Counties Railway, how to be made, §§ 22 to 24.
Level Crossing, §§ 25 to 27.
Tolls, §§ 30 to 37.
Provisions for Agreements with Eastern Counties Company, §§ 38 to 46.
Application of Clauses of certain Parts of 8 & 9 Vict. c. 16. to Eastern Counties Company, § 47.
Power for Eastern Counties Company to contribute towards Company's Undertaking, § 48.
Power to raise Monies to be contributed, § 49.
Payment of preferential Dividend, § 51.
Saving existing Preference Shares, § 53.
Subscription by Eastern Counties Company included in Agreement of 1854 for Amalgamation with Eastern Union and other Companies, § 54.
Nature and Amount of Sums to be deducted by Eastern Counties Company under Agreement, § 55.
Votes for Eastern Counties Company at Meeting of Company, § 56.
Power to Eastern Counties Company to appoint Director, §§ 57 to 63.

Cap. clxxxiii.

"The Cleveland Railway Act, 1861."

Preamble recites that by "The Cleveland Railway Act, 1858," the Cleveland Railway Company were incorporated and empowered to construct a Line of Railway from the Middlesbrough and Guisbrough Railway in the North Riding of the County of York to Skinningrove in the said North Riding, with Railways and Works connected therewith, and were authorized to raise by Shares 120,000*l.*, and by borrowing 40,000*l.*; that the Company have proceeded to put the Powers of the Act into execution, but have not opened any Part of the Railway for public Traffic; that it is expedient that the Company should be empowered to extend their Railway and Works; to make Deviations from the Line of Railway as authorized; and to raise additional Capital for carrying the Purposes aforesaid into effect, and to borrow a further Sum of Money.
Incorporation of Consolidation Acts, §§ 3, 4.
Power to construct Railway and Works, § 5.
Power to abandon Parts of the Railway rendered unnecessary by the Deviations; Compensation, §§ 8, 9.
Admiralty Provisions, §§ 11 to 14.
If Shipping Place become an Obstruction, Conservancy Commissioners may remove it, § 15.

Commissioners may allow Variations in Works, § 16.
Tees Conservancy Commissioners to dredge and preserve the Access to the Shipping Places, § 17.
Power for the Company to make Arrangements with the Tees Conservancy Commissioners as to Works below High-water Mark, § 18.
Company to remove Materials falling into River from Company's Works, § 19.
Tees Conservancy Commissioners may remove Works abandoned, § 20.
Commissioners may remedy Injury to the Navigation at the Expense of the Company, § 21.
Saving Rights of the Tees Conservancy Commissioners, § 22.
Two Years for compulsory Purchase of Lands, § 25.
Four Years for Completion of Works, § 26.
Power to raise additional Capital of 90,000*l.*, § 28.
Power to cancel unissued Shares, §§ 29, 30.
Votes and Qualifications in respect of new Shares, § 33.
Power to borrow 30,000*l.*, §§ 36, 37.
Tolls on Railway, §§ 38, 39.
Limiting Charge for Shipping Places, § 40.
The Company and the West Hartlepool Harbour and Railway Company may enter into Traffic Arrangements, § 41.
Reserving Right of crossing Railway to Messrs. Bolckow and Vaughan, § 42.

Cap. clxxxiv.

"The Forest of Dean Central Railway Act, 1861."

Preamble recites that by "The Forest of Dean Central Railway Act, 1856," the Forest of Dean Central Railway Company were incorporated, and were authorized to construct the Forest of Dean Central Railway, with Branches, and for that Purpose to raise a Share Capital of 65,000*l.*, in 6,500 Shares of 10*l.* each, and to borrow on Mortgage any Sum not exceeding 21,660*l.*; that by "The Forest of Dean Central Railway Act, 1860," the Company were authorized to construct further Works, and to raise a further Sum of 1,000*l.* by Shares; that they have acquired the Land necessary for the Construction of the Railway, but the same has not yet been completely constructed; that they have received 38,875*l.* by Calls on their Share Capital, and they expect to receive a futher Sum of 1,100*l.* on Calls over due, and they are unable to raise the Remainder of their Share Capital unless by assigning to the Persons who may subscribe for the same a Priority in the Payment of Dividend; that there are at present no Preference Shares in the Capital of the Company; that it is expedient that the Company should be authorized to obtain a Lease of certain Lands, Part of the Hagloe Estate, and also certain Foreshore belonging to Her Majesty at or near Brimspill on the River Severn near the Terminus of the said Forest of Dean Central Railway, and to erect Staithes, Cranes, and Works on

the Lands to be so leased to them; and should be authorized to raise Money for constructing the said new Works, and to attach thereto a Preference or Priority in Payment of Dividends.

Incorporates Harbours Clauses Act, § 2.

Commissioners of Woods may demise Lands to the Company, § 3.

Company may erect Staithes, &c. thereon, § 4.

Rights of Crown and of South Wales Railway saved, §§ 5, 6.

Tolls for Vessels, § 7.

For Staithes, &c., § 8.

Forfeited Shares may be cancelled and new Shares issued, §§ 10 to 14.

Terms and Conditions of new Shares; Votes of Proprietors, §§ 15 to 21.

Power to borrow 5,000*l.*, § 22.

Part of Companies Clauses Act incorporated, § 23.

Application of Monies, § 24.

Admiralty Provisions, §§ 26 to 29.

Cap. clxxxv.

"The Hatfield Chase Warping and Improvement Act, 1861."

Preamble recites an Act was passed in the Year 1854 "to "warp and improve certain Lands in the Level of Hatfield "Chase," whereby a Company was incorporated, and was authorized to purchase of the Participants of the Level of Hatfield Chase the Snow Sewer, and to widen and improve the same for the Purpose of conveying through it, upon certain of the Waste Lands of Hatfield Chase, the Waters of the River Trent, and thereby warping the said Waste Lands and rendering them productive; that the Company have proceeded in the Execution of the said Act, and have purchased and enlarged Snow Sewer, and commenced the said Works of warping, but they have found that, in consequence of the great Outlay of the Company in enlarging and so increasing the Efficiency of their Warping Drain, the Price of warping prescribed in the said Act is inadequate, and that it would be more advantageous, both to the Owners of the said Low Lands and to the Company, if the said Act were amended.

Certain Provisions of recited Act repealed, § 1.

Provisions as to Second Warping, § 2.

Extending Notice before Entry on Lands, § 3.

Certain Trustees enabled to purchase Lands, § 4.

Company may purchase Lands near their Works, § 5.

Power to hold Land extended, § 6.

Provision for special Agreements, § 7.

Saving Provisions of recited Act, § 8.

Cap. clxxxvi.

"The Inverness and Perth Junction Railway Act, 1861."

Preamble recites that the making of a Railway from the Town of Forres in the County of Elgin, and communicating there with the Inverness and Aberdeen Junction Railway, to the Village of Birnam near Dunkeld in the County of Perth, there to communicate with the Perth and Dunkeld Railway, with a Branch diverging therefrom near the Village of Ballinluig to Aberfeldy, will be of great local and public Advantage; that the estimated Cost of constructing the said Railway and Branch Railway is 654,000*l.*; that it is expedient that the Inverness and Aberdeen Junction Railway Company, the Inverness and Nairn Railway Company, the Inverness and Ross-shire Railway Company, the Perth and Dunkeld Railway Company, the Scottish Central Railway Company, and the Edinburgh and Glasgow Railway Company respectively should be empowered to subscribe to and hold Shares in the said Undertaking as herein-after provided; and that the Company herein-after incorporated and the Inverness and Aberdeen Junction Railway Company, the Perth and Dunkeld Railway Company, the Scottish North-eastern Railway Company, the Scottish Central Railway Company, and the Edinburgh and Glasgow Railway Company should be empowered to make and enter into Agreements and Arrangements with respect to the working and Use of the said intended Railway and Branch Railway; that the said intended Railway will communicate at Birnam with the Perth and Dunkeld Railway, which is at present worked under an Agreement for a limited Term of Years by the Scottish North-eastern Railway Company, and will, in connexion with that Railway and the Scottish North-eastern Railway, from the Junction thereof with the Perth and Dunkeld Railway, form the shortest and most convenient Line of Railway Communication between the City of Perth and the Counties of Elgin or Moray, Nairn, and Inverness, and all the more Northern Counties of Scotland; and it is expedient that Facilities should be afforded for the free and uninterrupted Passage of all the Traffic of the said Counties seeking to pass by Railway to and from and beyond the City of Perth, and for the Passage and Accommodation of the Engines, Carriages, and Waggons passing to and from the said intended Railway and Branch Railway over and upon the Perth and Dunkeld Railway, the Scottish North-eastern Railway, and the Scottish Central Railway, from and to the general Station at Perth after mentioned, and Agreements for some of the before-mentioned Purposes have been entered into by or on behalf of the said Companies, which Agreements the respective Companies are desirous should be confirmed; and that it is also expedient that Arrangements and Agreements between the Company and the Scottish North-eastern Railway Company, the Scottish Central Railway Company, and the Edinburgh, Perth, and Dundee Railway Company, in respect to the joint Use and

Occupation by them, together with the said Companies, of the general Station at Perth belonging to the said Three Companies or some of them, and the Watering Places, Sidings, and other Buildings and Conveniences connected therewith, should be authorized; that the said intended Main Line of Railway will communicate at the Town of Forres with the Inverness and Aberdeen Junction Railway, and it is expedient that Provision should be made for the joint Accommodation of the Traffic of the Company hereby incorporated at the Station at Forres belonging to the said Inverness and Aberdeen Junction Railway Company, and also at the Station at Inverness belonging to the Inverness and Nairn and Inverness and Aberdeen Junction Railway Companies, or One of them, and that the Company should be authorized to enter into Arrangements and Agreements with the said other Companies, or One of them, for the Maintenance, working, Use, and Apportionment of the said Stations respectively.

Incorporation of Consolidation Acts, § 1.

Subscribers incorporated, with a Capital of 654,000*l.*, §§ 5 to 7.

Power to the Inverness and Aberdeen Junction and other Railway Companies to contribute to the Undertaking, § 8.

Mode in which new Shares are to be allotted; Saving Rights of existing Preference Shares, § 9.

Power to borrow 218,000*l.*, §§ 14 to 19.

General Meetings, § 20.

Domicile of the Company, § 21.

Directors, §§ 24 to 29.

Line of Railway, § 30.

Level Crossing, §§ 31 to 33.

Power to make Railway, § 34.

Lands to be purchased within Four Years, § 37.

Six Years for Completion of Works, § 38.

As to Communication with the Inverness and Aberdeen Junction and Perth and Dunkeld Railways, §§ 39 to 41.

Tolls, §§ 42 to 50.

Power to agree as to Petty Customs with Magistrates and Town Council of Forres, § 51.

Power to Company to run over and use Perth and Dunkeld Railway, § 52.

Powers of Arbitrators or Umpire, § 53.

Local Traffic not to be interfered with, § 54.

Confirming Agreement with the Scottish North-eastern Railway Company, § 55.

Confirming Agreement with the Scottish Central Railway Company, § 56.

Byelaws of Perth and Dunkeld, Scottish North-eastern, and Scottish Central Railway Companies to be observed, § 57.

Provision in regard to the Use of the General Railway Station at Perth, § 58.

Power to enter into other Agreements with the Scottish North-eastern Company and other Companies as to Stations, &c., § 59.

Power to enter into Agreements with Inverness and Nairn and Inverness and Aberdeen Junction Railway Companies as to Stations at Inverness and Forres, § 60.
Arbitration in regard to Joint Stations, § 61.
Power to make Traffic Arrangements with other Railway Companies, § 62.
Duration of Contract, § 63.
Sanction of Extraordinary Meeting to Traffic Arrangements, §§ 64 to 66.
Joint Committee for Purposes of Traffic; Arbitration, §§ 67 to 69.
Saving Rights of the Crown, § 72.
SCHEDULES A. and B. Agreements between the respective Companies.

Cap. clxxxvii.

"The Ludlow and Clee Hill Railway Act, 1861."

Preamble recites that a Railway from Ludlow in the County of Salop to a Point in the Parish of Corley in the same County would be of advantage; and that it is expedient that the Shrewsbury and Hereford Railway Company should be authorized to contribute to the said Undertaking, and to make Working and Traffic Agreements with the Company.
Incorporation of Consolidation Acts, § 1.
Subscribers incorporated, with a Capital of 30,000*l.*, and Power to borrow 10,000*l.*, §§ 3 to 7.
Power to the Shrewsbury and Hereford Railway Company to contribute 5,000*l.* to the Undertaking, § 11.
Meetings; Directors; Advertisements, &c., §§ 12 to 20.
Line of Railway, § 21.
Communications with the Shrewsbury and Hereford Railway, §§ 23 to 26.
Three Years for the compulsory Purchase of Lands, § 28.
Four Years for Completion of Works, § 29.
Power to Company to use Portion of Shrewsbury and Hereford Railway, § 31.
Tolls, §§ 33 to 43.
Provisions as to Traffic Arrangements with the Shrewsbury and Hereford Railway Company, §§ 44 to 52.

Cap. clxxxviii.

"The Mersey Docks (Corporation Purchase) Act, 1861."

Preamble recites that by "The Mersey Docks and Harbour Act, 1857," being an Act for consolidating the Docks at Liverpool and Birkenhead into One Estate, and for vesting the Control and Management of them in One Public Trust, and for other Purposes, the Mersey Docks and Harbour Board were incorporated for the Purposes therein mentioned; and that "The Mersey Docks and Harbour (Works) Act, 1858," "The Mersey Dock Acts Consolidation Act, 1858," "The Mersey Docks (Money) Act, 1859," and "The Mersey Docks (Ferry Accommodation) Act, 1860," have also been passed in relation to the Mersey Docks and Har-

bour Board; and that by "The Mersey Docks and Harbour (Works) Act, 1858," the Board were authorized to purchase, by Agreement, from the Corporation of Liverpool, the Reversion then vested in them of certain Lands originally demised to the Birkenhead Dock Company, and of so much and such Parts of certain other Lands agreed to be demised to William Adamson and Alexander Adamson, as comprised certain Land, with Buildings thereon, at Birkenhead, known as the Dockyard, and of Lands (if any) on the South Side of the Great Float, and adjoining or near thereto, of Leasehold Tenure, which then were or might thereafter become vested in the Board, and of which the Reversion then was or might thereafter become vested in the Corporation, upon such Terms and Conditions as might be mutually agreed upon between the Board and the Corporation; that the Board and the Corporation have, by an Indenture dated the 27th Day of April 1861, agreed upon the Terms upon which such Purchase shall be effected, but the same cannot be carried into effect without the Authority of Parliament; also that it is expedient that the Period for completing some of the Works authorized to be constructed at Birkenhead by "The Mersey Docks and Harbour (Works) Act, 1858," should be altered, and also that certain additional Powers should be vested in the Board for the Purpose of improving the working of the Docks, and keeping the Quays from being encumbered with Goods, and for enabling Certificates to be issued for Shipowners, Merchants, Underwriters, and others, with respect to the Stowage of Goods, and the Nature and Extent of the Damage in certain Cases incurred by Vessels or their Cargoes, and that the said several Acts should be amended and altered.

Agreement confirmed.

3. The Agreement between the Corporation and the Board for the Purchase of such Reversion, set forth in the Schedule to this Act annexed, except so far as any of the Provisions therein contained may be inconsistent with the Provisions of this Act, shall be and the same is hereby confirmed.

Estate and Interest of Corporation in Lands at Birkenhead vested in the Board.

4. All the Estate and Interest of the Corporation in the Lands described in the Agreement, and in the Map or Plan delineated thereon or attached thereto, and also comprised in the Plan deposited with the Clerk of the Peace of the County of Chester, and in the Book of Reference to both in the Agreement mentioned, shall, immediately on the Delivery to the Corporation of the Bond or Bonds of the Board, herein-after mentioned, absolutely vest in the Board as Part of the Mersey Dock Estate, free from all Charges, Liens, and Incumbrances whatsoever of the Corporation, and of all Persons claiming by, from, through, under, or in trust for them.

Bonds to be delivered to the Corporation.

5. The Board shall on or before the 1st Day of January 1862 deliver to the Corporation, or to such Person as they shall appoint to receive the same, a Bond or Bonds under the Seal of the Board for the Sum of 200,000*l.* in the whole, to be payable on the 31st Day of October which will be in the Year of our Lord 1923, with Interest thereon in the meantime at the Rate of 3*l.* 5*s.* per Centum per Annum, to be paid on the Days

Days and in the Manner specified in the said Indenture; and of the due Delivery of such Bond or Bonds a Declaration or Certificate in Writing under the Hand of the Town Clerk of the Borough of Liverpool shall be sufficient Evidence.

Application of Monies secured by Bonds.

6. The Interest from Time to Time accruing on the said Bond or Bonds shall be paid to the Treasurer of the Borough for the Time being, to be by him placed to the Credit of the Borough Fund, and the Principal Sum payable by virtue of such Bond or Bonds shall also be paid to such Treasurer as Part of the Capital and Estate of the Corporation; and the Receipts of such Treasurer, or of the Person or Persons for the Time being entitled to the Principal Money and Interest secured by such Bond or Bonds, for such Interest and Principal respectively, shall be a full Discharge to the Board.

Power to borrow under 20 & 21 Vict. c. clxii. to apply to Lands authorized to be purchased by this Act.

7. The Lands, and all Estates and Interest therein, by this Act vested in the Board, shall, for the Purpose of authorizing the Board to borrow and take up the said Sum of 200,000*l.* at Interest, be deemed and taken to be Part of the Birkenhead Docks and Works referred to in the 57th Section of "The Mersey Docks and Harbour Act, 1857," for the Completion whereof the Board were authorized to borrow and take up Money at Interest; and any Rate or Rates or any Dues now forming Part of their general Receipts shall be the Security on which such Money may be borrowed.

Extension of Time for Completion of certain Works.

8. The Period for Completion of the whole of the Works sixthly mentioned in Section Six of "The Mersey Docks and Harbour (Works) Act, 1858," shall be extended to the 12th Day of July 1864; and such Act shall for all Purposes whatever be construed as if such latter Date had been expressly mentioned therein as the Period for the Completion of the Works sixthly therein described.

Defining Periods for Completion of Works at Birkenhead.

9. The Board shall complete the whole of the Works thirdly mentioned in Section Six of "The Mersey Docks and Harbour (Works) Act, 1858," on or before the 1st Day of August 1863, instead of on or before the 1st Day of October 1863, the Period prescribed for that Purpose by such Act, and the Board shall proceed with all practicable Diligence and Despatch in the Execution of the whole of the Works first mentioned in the said Section, together with such Portion of the Works on the South Reserve adjoining the same, and the Formation of the Land in connexion therewith, as is not dependent on the Completion of the Works secondly mentioned in such Section, so as to afford Accommodation for the Railway Traffic of the London and North-western and Great Western Railway Companies and of either of them, and shall complete the Works firstly mentioned in such Section, together with the said Portion of the Works on the South Reserve, and the Formation of such Land as aforesaid, on or before the 31st Day of March 1862, and the Board shall also proceed with all practicable Diligence and Despatch in the Execution of the Works secondly mentioned in the said Section Six of such Act, but shall not be required to complete the same till the 31st Day of March 1864, and such Act shall be read and construed accordingly: Provided always, that nothing in this present

present Section contained shall have the Effect of extending the Period limited by such Act for the compulsory Purchase of Lands (if any) necessary for the Purposes of any of such Works; provided also, that if the Engineer for the Time being of the Board shall at any Time before the 31st Day of March 1862 certify in Writing to the Board that he has found it impracticable to complete the Low Water Basin comprised amongst the Works first mentioned in the said Sixth Section by the said 31st Day of March, by reason of the Nature of the Foundations on which the South Wall of the said Basin is to be constructed, then the said Board shall be released from the Obligation by this Act imposed upon them to complete the said Low Water Basin on or before the said 31st Day of March, but nevertheless shall proceed with all practicable Despatch in the Execution of the same, and so that it shall be completed at the earliest possible Period after the said 31st Day of March.

Power to appoint Surveyors of Cargoes and Goods, and to license Master Stevedores and Master Lumpers.

10. Under the Power now vested in the Board to appoint, remove, and pay Officers and Servants, they shall be deemed to have Power to appoint and from Time to Time to remove such and so many Surveyors of Cargoes and Goods as they may think fit; and it shall also be lawful for the Board from Time to Time to license such and so many Persons as they may deem expedient to be employed in the Shipment, Stowage, and Unshipment of Cargoes (commonly called Stevedores and Lumpers), to be termed Master Stevedores and Master Lumpers: Provided always, that it shall not be in any way obligatory on the Board to appoint any Person to act as a Master Porter or Surveyor of Cargoes and Goods, or to license any Person to act as a Master Stevedore or Master Lumper, of whose Competency or Fitness for the Office he may be desirous of filling the Board may not be satisfied.

Sects. 38. and 39: of 21 & 22 Vict. c. xcii. repealed.

11. The Sections numbered 38 and 39 of "The Mersey Dock Acts Consolidation Act, 1858," having reference to Bonds given by Master Porters, shall be and the same are hereby repealed.

Bonds entered into by Master Porter to be increased from 200*l.* to 500*l.*, § 12.

Persons licensed as Master Stevedores and Master Lumpers to give Bonds with Sureties in 200*l.*, § 13.

If such Persons be also appointed Master Porters Bonds to be increased to 500*l.*, § 14.

Owners, &c., of Goods may bring other Actions on the same Bond.

15. The bringing of any Action upon any such Bond by any such Owner, or the Pendency of such Action, or the Recovery of any Judgment in any such Action, shall not prevent such Owner or any other Owner from bringing any other Action upon such Bond for any Loss or Injury which may be sustained by him, so that no more than the Sum of 200*l.* in the whole or the Sum of 500*l.* in the whole, according to the Amount of the Penalty named in such Bond, shall be recovered from any such Master Stevedore or Master Lumper, or his Sureties, upon any One and the same Bond: Provided always, that the full Amount of the Penalty named in the

Bond of any Master Porter, Master Stevedore, or Master Lumper shall always be deemed to be and remain wholly due, notwithstanding any prior Recovery in any Action thereon, unless within 14 Days next after any Sum shall have been so recovered Notice in Writing of such Recovery, and stating the Amount thereof, shall be given to the Solicitor of the Board by any One or more of the Obligors, in which Case the Amount so recovered, and stated in such Notice or in any Two or more of such Notices, shall be deemed and taken to be in Discharge or in Part Discharge, as the Case may be, of the Penalty of such Bond.

When new Bonds are to be given.

16. It shall be lawful for the Board, at any Time when they may deem it expedient so to do, to require any Master Porter, Master Stevedore, or Master Lumper to give a new Bond, with Two sufficient Sureties, to be approved of by the Board; and whenever a Sum equal in the whole to Three Fourths of the Amount of the Penalty of his Bond shall have been recovered in Actions brought on such Bond, the Master Porter, Master Stevedore, or Master Lumper against whom or against whose Sureties, or any of them, such Actions shall have been brought, and also every Master Porter, Master Stevedore, or Master Lumper who shall become bankrupt or insolvent, or in any Manner compound with his Creditors, before he shall be again capable of acting as a Master Porter, Master Stevedore, or as a Master Lumper, as the Case may be, shall enter into a new Bond to the Board in the same Manner as on his original Appointment.

Penalty on Persons acting as Master Stevedores or Master Lumpers without having given Bond.

17. If any Person shall act either as a Master Stevedore or a Master Lumper, in shipping, stowing, unstowing or unshipping, or in employing or directing any Porter or Labourer to ship, stow, unstow, or unship any Goods without having been duly appointed by the Board, or without having given to the Board such Bond, with Two sufficient Sureties, as hereinbefore directed, or, as the Case may be, without having given a new Bond to the Board, as herein-before directed, or after having had his Licence rescinded or suspended by the Board, or if any Person shall act as a Master Porter after having been removed or dismissed from his Office, or while prohibited from acting therein, every Person so offending shall forfeit and pay a Sum not exceeding 50*l.* for every such Offence.

Owner or Master of a Vessel may employ the Crew to discharge Cargo.

18. Provided always, That nothing herein contained shall prevent the Owner or Master of any Vessel from employing her Crew in shipping, stowing, unstowing, unshipping, or discharging all or any Portion of the Cargo thereof, or shall render such Owner or Master, or any of such Crew, liable to any Penalty for so doing.

Board may rescind Licences of Persons appointed Masters Stevedores or Lumpers.

19. The Board may at any Time rescind or suspend the Licence of any Master Stevedore or Master Lumper, either totally or for any Period that they may think proper, and for any Cause which in their Judgment shall render such Proceeding necessary or expedient: Provided always, that in any Case in which any Licence to any Master Porter, Master Stevedore, or Master Lumper shall be rescinded or suspended, the Party whose Licence shall have been so rescinded or suspended

pended shall be at liberty to appeal thereon to the Board of Trade, and they shall entertain such Appeal, and decide thereon; and the Board shall forthwith, if and when the said Board of Trade shall so decide, restore such Licence.

Surveyors of Cargoes and Goods.

20. Every Surveyor of Cargoes and Goods appointed by the Board shall, with respect to any Vessel which may be unloaded or discharged within the Dock or District to which he may be appointed by the Board, when required by or on behalf of any One or more of the Owners or Consignees of any such Vessel or their Cargo, or their authorized Representatives, carefully examine the Stowage of the Cargo of such Vessel, and fully investigate the Nature and Extent of the Damage (if any) which such Cargo or any Part thereof may have sustained, and shall also, when required by any One or more of such Owners or Consignees of any such Vessel or her Cargo, or their authorized Representatives, report upon and certify to him or them the State of such Cargo in respect of its Stowage, and of the Damage (if any) which such Cargo or any Part thereof may have sustained; and for every such Report or Certificate the Board shall be entitled to receive from the Person to whom any such Report or Certificate may be given a reasonable Fee, the Amount of which shall be determined by the Board.

Surveyors of Cargoes and Goods may go on board Vessels.

21. All such Surveyors of Cargoes and Goods shall have full Power at all Times during the Discharge of the Cargo of any Vessel within their respective Docks or Districts to go on board and to enter and inspect any Part of such Vessel and her Cargo; and if any Person shall in any way obstruct or prevent, or aid or abet any other Person in obstructing or preventing, any such Surveyor from entering or inspecting any such Vessel or her Cargo or any Part of such Vessel, every Person so offending shall for every such Offence be liable to a Penalty of not exceeding 10*l.*: Provided always, that if on any such Inspection any such Surveyor shall be of opinion that any Part of the Cargo shall have sustained Damage by reason of improper Stowage, he shall, before leaving the Vessel, give Notice in Writing that there is in his Judgment improper Stowage in respect of the Goods mentioned in such Notice, to the Master, Mate, or other Officer then in charge of such Vessel.

Surveyor not unnecessarily to delay Discharge of Cargo.

22. Provided also, That such Surveyor shall have no Power to delay the loading or Discharge of any Portion of any Cargo of a Vessel, except and for such Time only as shall be necessary for the Purpose of investigating the Nature and Extent of the Damage (if any) or alleged Damage which such Cargo or any Part thereof may have sustained.

Master Porters to be responsible for correct weighing and measuring of Goods.

23. Every Master Porter shall be responsible, not only to the Board but also to each Consignee, for any Goods committed to his Care, and also to the Owner of the Vessel by which such Goods may have been imported, for the correct weighing, taring, scribing, marking, and measuring, as the Case may be, of such Goods, and he shall in every Case in which such Goods shall have been required to be weighed or measured, and as soon as conveniently may be, furnish, if required,

quired, to each such Consignee and to such Owner as aforesaid, a correct Account in detail of the Weight, Measurement, and Marks of such Goods, and he shall also, if required, at the same Time furnish to the Board an Abstract of such Account, showing the total Number of Packages, and the gross and net Weight or Measurement, as the Case may be, of each Mark or Consignment of such Goods, and he shall also at the same Time furnish to the Collector or other proper Officer of the Customs at Liverpool a Duplicate of such Abstract.

Landing Clerk appointed by Master Porter to keep Account of landing and Delivery of Goods.

24. Every Master Porter, previously to receiving on the Quay any Portion of the Cargo of any Vessel in respect of which he may have been appointed the Master Porter, shall appoint some fit, competent, and intelligent Person to act as a Landing Clerk, whose Duty shall be to be present at all Times when any Portion of such Cargo shall be in course of being discharged; and every such Landing Clerk shall record, in Books to be approved of by the Board, the Marks, Numbers, Weights, and Measurements of all Goods discharged from such Vessel, and the Day when the same shall be respectively discharged, and the Day and Hour when the same shall respectively be delivered; and in case the Board consider that the Master Porters are entitled to any additional Remuneration for the Duties imposed on them by this and the preceding Section, they shall regulate the Charges of the Master Porters accordingly.

As to Shipment, &c. of Cargoes at Quays of Birkenhead Railway Company.

25. Provided always, notwithstanding anything in this or the recited Acts contained, That the Great Western Railway Company, the London and North-western Railway Company, and the Birkenhead Railway Company respectively, may employ such Persons as they may from Time to Time respectively think fit, without Licence from the Board, in and about the Shipment, Stowage, and Unshipment of Cargoes into or from any Vessel which may be loading or unloading at the Quays of the Birkenhead Railway Station on the Great Float; and no Traffic Manager appointed by the Board shall be entitled to interfere with or exercise any Control over any Traffic lying at or upon the said Quays of the Birkenhead Railway Station on the Great Float, but the said Railway Companies respectively shall furnish to the Board an Account, similar to the Account to be furnished to the Board by the Master Porter or his Landing Clerk, under this Act, of all Goods shipped or unshipped or landed Foreign or Coastwise at the Quays of the said Birkenhead Railway Station.

Sects. 88, 89, 204, and 205 of 21 & 22 Vict. c. xcii. repealed.

26. The Sections numbered respectively 88 and 89 and 204 and 205 of "The Mersey Dock Acts Consolidation Act, 1858," having reference to the undue Occupation with Goods of the Dock Quays, shall be and the same are hereby repealed, but without Prejudice to the Recovery of any Penalty which may previously have been incurred.

Period for which Goods may remain on Quay.

27. Any Goods (except Timber or other Wood Goods which are herein-after otherwise provided for) landed or deposited on any Quay or Pier may remain on such Quay or Pier without Payment of any Quay Rent until Four o'Clock in the Afternoon on the Second Day next after the Day on which

which the same may have been landed or deposited; but if any of such Goods shall remain on such Quay or Pier beyond Four o'Clock in the Afternoon on such Second Day, a Rent (to be called a Quay Rent, and applied as Part of the general Receipts of the Board,) of *5s.* for each and every Hour during the 24 Hours then next ensuing that such Goods or any Portion thereof may remain on such Quay or Pier shall be payable to the Board in respect of such Goods; and if any such Goods or any Portion thereof shall remain on any Quay or Pier beyond Four o'Clock in the Afternoon on the Third Day after the Day on which such Goods or any of them may have been landed or deposited, then and in such Case the Quay Rent payable to the Board shall be increased to 10*s.* for each and every Hour after the said Period of 24 Hours that such Goods or any Portion thereof shall remain upon such Quay or Pier; and such Quay Rent shall in all Cases be paid to the Board by the Owner of the Goods in respect of which the same may have become payable; and if any Person shall suffer any such Goods to remain on such Quay or Pier so as to cause, in the Judgment of any Harbour-master, Dock-master, or Traffic Manager, an Obstruction to Business for a longer Period than shall be necessary for the removing thereof, notwithstanding any Quay Rent may have become payable or would otherwise become payable in respect of such Goods or any of them, he shall be liable to a Penalty of not exceeding *5l.*, and without Prejudice to the Right of the Board to receive and compel Payment of all Quay Rent which may have become payable previously to the actual Removal of such Goods or any of them.

Penalty on leaving Goods on Quays longer than necessary.

28. All Timber deposited on any Quay, or on any Land appropriated by the Board as a Timber Depôt for the Purpose of being measured and passed by the proper Officers of Her Majesty's Revenue, shall be wholly removed therefrom within the Space of 72 Hours, or within such shorter Period, not being less than 48 Hours from the Day on which the same shall have been so measured or passed as aforesaid, as may be appointed by any Byelaw of the Board; and if such Timber or any Part thereof shall remain on such Quay or in any such Depôt as aforesaid beyond the Period aforesaid, a Quay Rent of 5*s.* for each and every Hour during the 24 Hours then next ensuing that such Timber or any Part thereof may remain on such Quay or in such Depôt shall be payable to the Board in respect of such Timber; and if any such Timber or any Part thereof shall remain on such Quay or in such Depôt beyond 24 Hours next immediately succeeding such Period of 72 Hours, or such shorter Period before specified, then and in such Case the Quay Rent payable to the Board shall be increased to 10*s.* for each and every Hour after the said Period of 24 Hours that such Timber or any Part thereof shall remain on such Quay or in such Depôt, and such Quay Rent shall in all Cases be paid to the Board by the Owner of the Timber in respect of which the same may have become payable: Provided always, that the Board shall not in any Case be entitled to recover any larger Amount of Quay Rent than the Value

Period for which Timber may remain on Quays and in Timber Depôt.

of the Timber in respect of which the same may have been incurred.

Commencement of the Seventy-two Hours, &c.

29. The 72 Hours or other Time during which Timber may so remain on such Quays or in any such Depôt as aforesaid shall be calculated from the Hour of Sunset on the Day on which such Timber shall have been measured and passed by the Officers of Her Majesty's Revenue.

Recovery of Quay Rent.

30. Any Quay Rent which may become payable to the Board may be recovered by them in the same Manner as any other Rents or Rates or as any Penalties are by "The Mersey Dock Acts Consolidation Act, 1858," authorized to be recovered: Provided always, that, subject and according to such General Rules and Regulations as shall have been previously approved and sanctioned by the Board of Trade, the whole or any Part of any Quay Rent which may have become payable may be remitted or returned by the Board.

Quay Rent may be required to be paid before Removal of Goods.

31. The Board may, whenever they shall think fit so to do, require that the Quay Rent which may have accrued in respect of any Goods shall be paid by the Owner thereof to the Treasurer of the Board previously to the Removal or Commencement of the Removal of all or any of such Goods, and in case any further Quay Rent shall have accrued previously to the Removal of the whole of such Goods, may, if they shall think fit, require that such additional Quay Rent shall be paid by the Owner of such Goods to such Treasurer previously to the Removal of any further Portion of such Goods.

Suspension and Mitigation of Quay Rents.

32. The Board may, subject and according to such General Rules and Regulations, so approved and sanctioned by the Board of Trade as aforesaid, in any Case where the same can in their Opinion be allowed without Prejudice to the working of any Dock or Docks, permit Goods to remain on any Quay or Pier for a Period to be fixed by them, upon the Payment of such Rent, if any, or upon such other Terms and Conditions as the Board may prescribe, and without incurring Quay Rent during such Period; and if the whole of such Goods be not removed previously to the Expiration of the Period for which such Permission may have been given, the Owner thereof shall thereupon become liable to the Payment of the same Amount of Quay Rent as he would have been liable to pay if such Permission had not been granted.

Provisions as to Liverpool Police Superannuation Fund.

33. The Board shall and they are hereby required, out of their General Revenues, to pay to the Treasurer of the Borough the annual Sum of 1,000*l.*, by Two equal half-yearly Payments on the Fifth Day of April and the Fifth Day of October in every Year, the First Payment of the whole or a proportionate Part, as the Case may be, to be made on the First of those Days which shall happen next after the Commencement of this Act; and the said Treasurer shall apply the Monies so from Time to Time received by him as follows, that is to say, the Sum of 700*l.* towards the Maintenance of the Police Superannuation Fund of the Borough, and the Residue towards the other Expenses now borne by the Corporation in connexion with the Docks.

34. In

As to Duties of Traffic Manager.

34. In addition to any other Duties (if any) which may be imposed upon all or any of the Persons appointed by the Board to act as Traffic Managers, such Traffic Managers shall exercise a general Superintendence over the whole Traffic on the Quays and Piers within their respective Docks or Districts, and make a periodical Report thereon to the Board, and superintend the various Master Porters, Master Stevedores, and Master Lumpers acting or employed therein, and shall report to the Board from Time to Time any Neglect of Duty on the Part of any such Persons, and also shall keep a correct Account of all Fines and Penalties which shall have been incurred and all Quay Rents which shall have become payable to the Board; and for better enabling such Traffic Managers to perform their several Duties, they shall at all Times have free Access to all Books, Writings, and Documents kept or made, as well by such Persons as by the Landing Clerks, Porters, Servants, and other Persons employed by them or any of them, relating to their several Duties of Master Porters, Master Stevedores, Master Lumpers, Landing Clerks, Porters, or other Persons, with full Power to make Copies thereof or Extracts therefrom; and if any Master Porter, Master Stevedore, Master Lumper, Landing Clerk, or other Person shall in any Manner prevent or endeavour to prevent any such Traffic Managers from having such Access or from making any such Copy or Extract as aforesaid, he shall for every such Offence be liable to a Penalty of not exceeding *50l.*

As to Removal of Goods left on Quay.

35. If the Owner of any Goods landed or deposited on any Quay or Pier shall not wholly remove the same from off such Quay or Pier before the Hour of Four o'Clock in the Afternoon on the Second Day next after the Day on which such Goods or any of them may have been landed or deposited, or if any Person shall suffer any such Goods to remain on any such Quay or Pier so as to cause an Obstruction for a longer Period than shall be necessary for the removing thereof, although such Period may not have expired, then and in any of such Cases the Board or any of their Officers may remove such Goods to some Warehouse of the Board or other Place of Safety, but such Removal shall not in any Manner excuse such Owner or other Person from the Payment of any Quay Rent which may have accrued, or from any Penalty which may have been incurred; and the said Goods may be detained at such Warehouse or other Place until the Charges of taking and removing, detaining, warehousing, and storing the same, together with the full Amount of the Quay Rent (if any) which may have accrued in respect of such Goods or any of them, and the lawful Charges of the Master Porter in respect of such Goods, shall have been paid; and in case such Charges and Quay Rent (if any) shall not be paid within Ten Days after the Removal of such Goods, the same may be sold by Public Auction, and out of the Proceeds of such Sale all Charges (including Quay and other Rent) incidental to such Removal, Sale, and Detention, and such other Charges as aforesaid, and also the Freight thereof, in case Notice to detain the same for the Payment of such Freight shall have been

been served upon the Board, may be retained by them; and the Overplus (if any) shall be rendered to the Owner of such Goods; and in case any Person shall wilfully obstruct or hinder any Officer of the Board in the Removal of the said Goods or any of them, he shall for every such Offence be liable to a Penalty of not exceeding 10*l*.

Sect. 359. of 21 & 22 Vict. c. xcii. incorporated.

36. Section 359 of "The Mersey Dock Acts Consolidation Act, 1858," shall be incorporated with and form Part of this Act; and whenever by this Act or any Byelaw made under the Authority of this Act, or of any Provisions herein contained, any Act, Matter, or Thing is authorized or required to be done or is prohibited from being done, or any Rent is declared to become due or payable before, at, or after the Period of Four o'Clock in the Afternoon on any Day, such Period shall, in the event of any other Hour, whether earlier or later, being sanctioned or recognized by the Board as the closing Hour for Business on any Day, be deemed and construed for all Intents and Purposes whatsoever to mean on such Day the Hour so authorized or sanctioned by the Board as aforesaid, instead of the said Hour of Four o'Clock in the Afternoon.

Byelaws respecting Traffic Managers, Stevedores, and Lumpers.

37. The Board may from Time to Time make such Byelaws as they may deem expedient for defining the Duties and for the Regulation and good Government of the Persons for the Time being appointed, authorized, or licensed by the Board to act as Master Porters, Surveyors of Cargoes and Goods, Traffic Managers, Master Stevedores, and Master Lumpers, or in any of such Capacities, and of all Porters and other Persons employed by them or any of them, and for regulating the Amount of the Charges to be made by such Surveyors or to be received by the Board for or on account of Work done or Certificates given by them or any of them; and all Byelaws so made by the Board shall for all Purposes whatsoever be deemed and taken to be Byelaws made by the Board, in pursuance of Provisions contained in "The Mersey Dock Acts Consolidation Act, 1858."

As to Recovery of Penalties, § 38.

Warehouses may be let, § 39.

The Board may grant new Leases of Lands adjoining the Great Float, in pursuance of Agreements entered into by the Corporation with the then Lessees.

40. Whereas various Leases were granted by the Birkenhead Dock Company to several Persons of Portions of the Land and Wharf Walls adjoining the Great Float at Birkenhead for Terms of 14 Years, at large annual Rents, which Terms have not yet expired: And whereas during the Progress of the Works commenced by the Corporation for the Completion of the Birkenhead Docks the Exclusion of the Water from the Great Float was rendered necessary, whereby Water Access from the River Mersey was cut off from the said Lands, in consequence whereof, and the Injury alleged by them to be thereby sustained, some of such Persons claim to be entitled to have new Leases granted to them for various Terms not exceeding the Term of 14 Years from the Day on which Water should be re-admitted into the Great Float, under the same Rent, and with and subject to the same or the like Covenants, Conditions, Declarations, and Provisions as were reserved, contained, and declared in and by the aforesaid Leases respectively,

tively, which Claims were admitted by the Corporation, who agreed to grant such Leases accordingly, such new Leases being accepted in full Compensation for the Injury so alleged to have been sustained as aforesaid: And whereas "The Mersey Docks and Harbour Act, 1857," Section 26, vested the Birkenhead Docks in the Board, on and after the 1st Day of January 1858, subject to all Charges and Liabilities affecting the same: And whereas on the 1st Day of March 1861 the Works in the Great Float were completed, and Water Access was restored thereto from the River Mersey: And whereas in consequence of Provisions contained in "The Mersey Dock Acts Consolidation Act, 1858," Doubts are entertained whether the Board is able fully to perform the Agreement so entered into by the Corporation for the granting of new Leases; for the Removal of which Doubts be it enacted, That it shall be lawful for the Board, in each Case in which they shall be satisfied that the Corporation had so agreed with the Person entitled to the Benefit of any such Lease as aforesaid, to make and execute to the Person now entitled to any such Lease so granted by the Birkenhead Dock Company as aforesaid a new Lease of the Land and Premises, Rights and Privileges expressed to be demised by such former Lease, for such Term as the Board may think fit to grant, not exceeding the Term agreed to be granted by the Corporation, and not exceeding in any Case the Term of 14 Years, to be computed from the said 1st Day of March 1861, under the same or the like Rent, payable at such or the like Times, and subject to the same or the like Covenants, Conditions, Declarations, and Provisions as were reserved, contained, and declared in and by the Lease granted by the Birkenhead Dock Company, with such Alterations only with regard to the Time of Payment of the Rent or Rents reserved and the Description of the demised Premises as Change of Time and Circumstances may render necessary, any Provisions in "The Mersey Dock Acts Consolidation Act, 1858," to the contrary notwithstanding; and every such new Lease shall be in full Satisfaction for all Compensation to which the Lessees might have otherwise been entitled on account of the Water having been excluded from the Great Float, or by reason of any of the Works executed by the Corporation or by the Board.

Saving Rights of Lessees, &c.

41. Provided always, That, notwithstanding the vesting in the Board by this Act of the Lands described in the Agreement set forth in the Schedule to this Act annexed, all Leases and Agreements for Leases for 14 Years, or for any less Term, of any Portions of such Lands at any Time heretofore granted, made, or entered into either by the Birkenhead Dock Company, or by the Corporation, or by the Board, and still subsisting, shall be and continue as valid and binding as if this Act had not been passed.

Agreement to demise Land to the Secretary of State for the War Department confirmed.

42. And whereas by Articles of Agreement entered into on the 20th Day of April 1861, between the Mersey Docks and Harbour Board of the one Part and Her Majesty's Principal Secretary of State for the War Department of the other Part, the Board have entered into an Engagement with the said Secretary

Secretary of State (provided the Sanction of Parliament can be obtained) to demise and assure at a nominal Rent, unto him and his Successors, for the Term of 1,000 Years from the Date of such Agreement, in trust for Her Majesty, Her Heirs and Successors, Two several Pieces of Land, Part of the Mersey Dock Estate on the Lancashire Side of the River Mersey, and formerly Part of the Strand of the said River, One of such Parcels of Land (intended as and for the Site of a Battery) being a triangular Piece of Land, West of the Bootle Land Marks, and situate at the extreme North-west Corner of the Mersey Dock Estate, and containing by Admeasurement 4,500 Square Yards or thereabouts, as the same is more particularly delineated in the Plan annexed to the said Articles of Agreement, and the other of such Parcels of Land (also intended as and for the Site of a Battery) being a Piece of Land situate on the Salisbury Dock Pier, and containing in the whole by Admeasurement 800 Square Yards or thereabouts, as the same is also particularly delineated in the said Plan: And whereas it is expedient that the said Agreement should be confirmed, and that the Board should be enabled to complete and fully carry out the same: Be it therefore enacted, That the said recited Articles of Agreement shall be and the same are hereby confirmed, and that it shall be lawful for the Board to grant unto Her Majesty's Principal Secretary of State for the War Department, and his Successors, at a nominal Rent, for the Term of 1,000 Years, to be computed from the Date thereof, in trust for Her Majesty, Her Heirs and Successors, the said Two several Parcels of Land, and generally to carry out all the several Matters, Articles, and Agreements comprised in the said recited Articles of Agreement, as fully and effectually, to all Intents and Purposes, and in the same Manner in all respects, as if such Agreement had been expressly authorized by and had been entered into by the Board in pursuance of the Provisions for that Purpose contained in this Act.

Increasing Rate to be paid by Vessels lying in the Docks more than Three Months.

43. Whereas by Section 231 of "The Mersey Dock Acts Consolidation Act, 1858," Vessels remaining in the Docks more than Three Months are liable to an additional Rate of 2*d.* per Ton per Month: And whereas owing to the increasing Trade of the Port of Liverpool and the crowded State of the Docks it is expedient that such additional Rate should be increased: Be it enacted, That from and after the Commencement of this present Provision all Vessels which may then or which shall at any Time thereafter have remained in the Docks for the Space of Three Months, and which would, if this Act had not been passed, thereby have become liable to the said additional Rate of 2*d.* per Ton per Month, shall, in lieu of such additional Rate of 2*d.* per Ton per Month, be liable to the additional Rate of 2*d.* per Ton per Week during the Time which such Vessels shall remain in any of the Docks beyond the said Period of Three Months, but so that such increased Rate shall not be calculated in respect of any Week or Portion of a Week which shall have elapsed prior to the passing of this Act: Provided always, that nothing in this present Provision contained shall in anywise exonerate

any

any Vessel from the Payment of any Sum of Money which she may have actually become liable to pay in respect of the aforesaid Rate of 2*d.* per Ton per Month previously to the passing of this Act; provided further, that the Board may from Time to Time, at their Discretion, require a less Amount than the said additional Rate of 2*d.* per Ton per Week to be paid by Vessels lying in any Dock or Docks which the Board may for the Time being expressly authorize to be used by Vessels lying up or unemployed.

Alteration of Time for Revision of List of Dock Electors.

44. The Time at which a Court shall be held for the Revision of the List of Dock Electors shall be some Time in the Months of September or October in every Year, instead of between the 1st Day of August and the 1st Day of September, as required by the 19th Section of "The Mersey Docks and Harbour Act, 1857."

Bonds to be Personal Estate, § 45.

Schedule. (Agreement of 27th April 1861, between Corporation of Liverpool and Mersey Docks and Harbour Board.)

Cap. clxxxix.

"The Wenlock Railway Act, 1861."

Preamble proposes the making of a Railway from Much Wenlock in the County of Salop, in extension of the Much Wenlock and Severn Junction Railway, to join the Shrewsbury and Hereford Railway in the Parish of Wistanstow in the said County, and also of a Railway from the Much Wenlock and Severn Junction Railway to Coalbrookdale in the said County, with a Line of Railway to connect the Severn Valley Railway therewith.

Incorporation of Consolidation Acts, § 1.

Subscribers incorporated, with a Capital of 125,000*l.*, and Power to borrow 41,500*l.*, §§ 4 to 8.

Meetings; Directors, &c., §§ 11 to 18.

Power to make Railway, § 19.

Power to alter Engineering Works, § 21.

Level Crossings, §§ 22 to 25.

Communications with other Railways, § 27.

Power to agree as to Construction of Joint Station at Coalbrookdale, § 30.

Five Years for Completion of Works, § 31.

Tolls, §§ 36 to 43.

Power to certain Railway Companies to subscribe, § 44.

Joint Committee, § 46.

Joint Committee for Coalbrookdale Extension, § 47.

Umpirage, § 48.

Joint Committee to exercise Powers of Company with respect to Coalbrookdale Extension, § 49.

And to vote at General Meetings, § 50.

Power to subscribing Companies to raise Money by the Creation of Shares, § 51.

Power to use certain Railways and Portions of Railways, § 52.

Terms of such Use, § 53.

For protecting Local Traffic, § 54.
Subscribing Companies may run over Portion of Coalbrookdale Extension, § 55.
Terms and Conditions of such User, § 56.
Power to enter into Traffic Arrangements with certain other Companies, §§ 57 to 64.
Tolls may be taken by the contracting Companies, subject to Working Agreement, § 65.
Appointment of Joint Committee for carrying Arrangements into effect, § 66.

Cap. cxc.

"The Salisbury and Dorset Junction Railway Act, 1861."

Preamble recites that the making of a Railway from the Bishopstoke Branch of the London and South-western Railway Company in the Parish of Alderbury in the County of Wilts, to join the Southampton and Dorchester Branch of that Company in the Parish of West Parley in the County of Dorset, would be of public Advantage; and that the Company and the London and South-western Railway Company should be empowered to enter into Arrangements with respect to the Railway.
Incorporation of Companies, Lands, and Railways Clauses Consolidation Acts, § 1.
Incorporation of Company, with a Capital of 160,000*l.*, §§ 4, 5.
Power to borrow 53,300*l.*, § 10.
Meetings; Directors, &c., §§ 12, 13.
Power to make Railway and Works according to deposited Plans, § 17.
Line of Railway, § 18.
Power to alter Engineering Works, § 19.
Communications with the London and South-western Railway, §§ 20 to 23.
Three Years for compulsory Purchase of Lands, § 25.
Five Years for Exercise of other Powers, § 26.
Tolls, §§ 29 to 39.
Provisions as to Traffic Arrangements with London and South-western Railway Company, §§ 40 to 44.

Cap. cxci.

"The South-eastern Railway Amendment Act, 1861."

Preamble recites the Acts relating to the South-eastern Railway Company; that by 16 & 17 Vict. c. clvi., the Company were empowered to provide, maintain, and use, and do accordingly maintain and use, Steam Vessels in connexion with their Railway for Traffic between the Ports of Folkestone or Dover and the Ports of Calais and Boulogne, and it is expedient that further Powers with respect to Steam Vessels should be granted to the Company, and that they should be empowered to provide and maintain Steam Vessels and to use them in connexion with their Railway between Folkestone or Dover, and the Ports of Boulogne or Calais

or Ostend; that they also work and hold the London and Greenwich Railway under a Lease for 999 Years granted by the London and Greenwich Railway Company under the Authority of the Act (Local) of 8 & 9 Vict. c. lxxx., but the Company have no Power to make Byelaws for regulating the London and Greenwich Railway, and it is expedient that such Powers should be granted to them; that by 6 & 7 Will. 4. c. lxxv., the Company were incorporated and were authorized to make and maintain the South-eastern Railway, and to be Carriers thereon, and by Section 189 of the reciting Act it was enacted, that in all Cases in which the Company should carry for their own Profit any Passengers, Cattle, or other Animals, Goods, Wares, or Merchandise, Articles, Matters, or Things, a separate Account should be duly kept, showing the Amount of Rates or Tolls which would have been received by the Company, or which would have been received by them for the Use of the Railway in respect of such Passengers, Cattle, or other Animals, Goods, Wares, or Merchandise, Articles, Matters, or Things, if carried by any other Party or Parties, and that the Overseers of the Poor of the several Parishes and Townships through which the Railway should pass should have free Access to and Liberty to inspect the same at any Time during the first 14 Days in the Months of April and October in each Year; that by 7 Will. 4. & 1 Vict. c. xciii. it was enacted, that in all Cases in which the Company should carry for their own Profit any Passengers, Cattle, or other Animals, Goods, Wares, or Merchandise, Articles, Matters, or Things, a separate Account should be duly kept, showing the Amount of Rates or Tolls which would have been received by the Company for the Use of the Railway in respect of such Passengers, Cattle, or other Animals, Goods, Wares, or Merchandise, Articles, Matters, or Things, if carried by any other Party or Parties, and that the Company should also keep an Account of all Tolls and Rates which should be actually received by them for the Carriage of the same; and that the Overseers of the Poor of the several Parishes and Townships through which the Railway should pass should have free Access to and Liberty to inspect such Accounts at any Time during the first 14 Days in the Months of April and October in each Year; and that if the Company should neglect or refuse to keep such Accounts or to permit such Inspection thereof as aforesaid, they should forfeit and pay for every such Neglect or Refusal the Sum of 300*l.*, and the further Sum of 50*l.* for every Day during which such Neglect or Refusal might continue; that by 2 & 3 Vict. c. xlii. it was enacted, that the Company should and they were thereby required in each and every Year to cause an annual Account in abstract to be prepared, showing the total Receipts and Expenditure of all Funds levied under or by virtue of that or the recited Acts for the Year ending on the 1st Day of October, or some other convenient Day in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account,

duly audited and certified by the Secretary or Clerk for the Time being of the Company, and should transmit a Copy of the said Account free of Charge to the Clerks of the Peace for the Counties of Kent and Surrey on or before the 1st Day of January then next, which Account should be open to the Inspection of the Public at all seasonable Hours, on Payment of the Sum of 1*s.* for every such Inspection; provided always, that if the Company should omit or neglect to prepare and transmit, or cause to be prepared and transmitted, such Account as aforesaid, they should forfeit and pay for every such Omission or Neglect the Sum of 20*l.*; that by 6 & 7 Vict. c. li. it was recited, that it was by the first-recited Act enacted that in all Cases in which the Company should carry for their own Profit any Passengers, Cattle, or other Animals, Goods, Wares, or Merchandise, Articles, Matters, or Things, a separate Account should be duly kept, showing the Amount of Rates or Tolls which had been received by the Company, or which would have been received by them for the Use of the Railway in respect of such Passengers, Cattle, or other Animals, Goods, Wares, or Merchandise, Articles, Matters, or Things, if carried by any other Party or Parties, and that the Overseers of the Poor of the several Parishes and Townships through which the Railway should pass should have free Access to and Liberty to inspect the same at any Time during the first 14 Days in the Months of April and October in each Year, and that it was expedient that that Enactment should be repealed and other Provisions enacted in lieu thereof, and it was therefore enacted that the same should be and the same was accordingly thereby repealed; and for the Purpose of providing for the proper rating of the Railway to the Relief of the Poor it was enacted, that the Company should keep an Account of the whole Tolls received by them, and rateable for the Relief of the Poor, showing the gross Amount of the monthly Receipts in respect of such Tolls received in every Year, and the Amount and Particulars of the Expenditure in every such Year, on account of any Expenses, the probable annual average Cost of which was to be taken into account in ascertaining the net annual Value of the Railway for the Purpose of rating the same for the Relief of the Poor; and that if the Company should carry for their own Benefit any Passengers, Cattle, or other Animals, Goods, or other Matters, they should keep a separate Account, showing the Amount of Tolls or Sums which would have been received by the Company in every such Year for the Use of the Railway in respect of such Passengers, Cattle, Goods, or other Matters, if the same had been carried by any other Party, and the Amount of Tolls or Sums which should have been actually received by the Company for the Carriage of the same; that by "The Railways Clauses Consolidation Act, 1845," (Section 107,) it was enacted, that the Company should every Year cause an annual Account in abstract to be prepared, showing the total Receipts and Expenditure of all Funds levied by virtue of that or the Special Act for

the Year ending on the 31st Day of December, or some other convenient Day in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account duly audited and certified by the Directors or some of them, and by the Auditors, and should, if required, transmit a Copy of the said Account free of Charge to the Overseers of the Poor of the several Parishes through which the Railway should pass, and also to the Clerks of the Peace for the Counties through which the Railway should pass, on or before the 31st Day of January then next, which last-mentioned Account should be open to the Inspection of the Public at all seasonable Hours on Payment of the Sum of 1*s.* for every such Inspection; provided always, that if the Company should omit to prepare or transmit such Account as aforesaid, if required so to do by any such Clerk of the Peace or Overseers of the Poor, they should forfeit for every such Omission the Sum of 20*l.*; and whereas "The Railways Clauses Consolidation Act, 1845," is wholly or partly incorporated with several of the South-eastern Acts passed in and subsequently to the Year 1845; and whereas Doubts have arisen whether the recited Section 38 of the recited Act (1 Vict. c. xciii.), and the recited Section 18 of the recited Act (2 & 3 Vict. c. xlii.), and the recited Section 49 of the recited Act (6 & 7 Vict. c. li.) are in force, so as to render it obligatory on the Company to keep the several Accounts which by those Sections respectively were required to be kept, as well as the Accounts which by the recited Section 107 of "The Railways Clauses Consolidation Act, 1845," are required to be kept, and which since the passing of the last-mentioned Act the Company have kept; and it is expedient that those Doubts should be removed.

Certain Sections of 16 & 17 Vict. c. clvi. as to Steam Vessels repealed, § 2.

Power to South-eastern Company to provide and use Steam Vessels, § 3.

Power to charge Rates for Use of Steam Vessels, § 4.

For securing Equality of Treatment, § 5.

Byelaws relating to Steam Vessels, § 6.

Provision for Cesser of Powers as to Steam Vessels, § 10.

Power to make Byelaws for regulating the London and Greenwich Railway, § 11.

Certain Sections of recited Acts repealed, § 12.

Part of Railways Clauses Act incorporated, § 13.

Cap. cxcii.

"The Vale of Clwyd Railway Act, 1861."

Preamble recites that by "The Vale of Clwyd Railway Act, 1856," the Vale of Clwyd Railway Company was incorporated for the Purpose of making a Railway commencing by a Junction with the Chester and Holyhead Railway, on the West Side of and near to the Railway Bridge which crosses the River Clwyd at Foryd in the Parish of Abergele in the

County of Denbigh, and terminating at or near the Town of Denbigh in the same County, which Railway has for some Time been completed and opened for Traffic; that the Company was by the recited Act empowered to raise 60,000*l.* by the Creation of Shares, and 20,000*l.* by borrowing on Mortgage or Bond, but such Capital having been found insufficient for the Completion of the Railway by that Act authorized, the Directors advanced and became liable for such Sums as were necessary to complete and open the same for public Traffic, and it is expedient that such Advances and Liabilities should be repaid and discharged; and also that the Company should lay down another Line of Rails, and provide additional Rolling Stock and Plant for the Accommodation of their increased Traffic.

Certain Provisions of 8 & 9 Vict. c. 16. extended to this Act, § 2.
Power to raise additional Capital of 50,000*l.* by new Shares, § 3.
Regulations as to new Shares, Dividend, &c., §§ 4 to 7.
Application of 30,000*l.* to Payment of Debts incurred, § 8.

Cap. cxciii.

"The Ware, Hadham, and Buntingford Railway (Deviation) Act, 1861."

Preamble recites that by the Ware, Hadham, and Buntingford Railway Act, 1858, the Ware, Hadham, and Buntingford Railway Company were incorporated, with Power to make and maintain a Railway, commencing by a Junction with the Hertford and Ware Branch of the Eastern Counties Railway in the Parish of Great Amwell in the County of Hertford, and terminating in the Parish of Laystone in that County; that they are proceeding with the Construction of the Ware Railway by that Act authorized; and it is expedient that they be authorized to make a Deviation from the said authorized Line of the Ware Railway, and to abandon the Portion of the said authorized Line which will by reason of such Deviation be rendered needless; and also that the Eastern Counties Railway Company be authorized to contribute towards the Funds of the Company, and to appoint Directors of the Company, and to vote at Meetings thereof; and that the Company and the Eastern Counties Company be authorized to make Traffic and Working Arrangements.

Incorporation of Lands and Railways Clauses Acts, § 2.
Power for Company to make Deviation Line, and to take Lands for Works authorized, §§ 4, 5.
Power to alter Engineering Works, § 6.
Company to abandon Part of Line, § 7.
Compensation, § 8.
Three Years for compulsory Purchases, § 10.
Five Years for Completion of Works, § 11.
Deposit made to apply to Railway as diverted, § 12.
Powers to agree with Eastern Counties Company, § 13.
Joint Committee for Purposes of Agreements, § 14.
Regulations as to Agreements, §§ 15 to 21.

Application of Clauses of certain Parts of 8 & 9 Vict. c. 16. to Eastern Counties Company, § 22.
Power for Eastern Counties Company to contribute towards Company's Undertaking, § 23.
Power for Eastern Counties Company to raise Monies to be contributed, § 24.
Authority of Shareholders for Contributions, § 25.
Payment of preferential Dividend, § 26.
Saving existing Preference Shares, § 28.
Subscription by Eastern Counties Company included in Agreement of 1854 for Amalgamation with Eastern Union and other Companies, § 29.
Nature and Amount of Sums to be deducted by Eastern Counties Company under Agreement, § 30.
Votes for Eastern Counties Company at Meeting of Company, § 31.
Power to Eastern Counties Company to appoint Directors, §§ 32 to 38.

Cap. cxciv.

"The Ramsey Railway Act, 1861."

Proposes to authorize the Construction of a Railway from Holme to Ramsey in the County of Huntingdon.
Incorporation of Consolidation Acts, § 1.
Subscribers incorporated, with a Capital of 30,000*l.*, and Power to borrow 8,000*l.*, §§ 4 to 8.
First and other Meetings; Directors, &c., §§ 13 to 17.
Power to make Railway, §§ 18, 19.
Level Crossings, §§ 20 to 23.
Two Years for compulsory Purchase of Lands, § 25.
Three Years for Completion of Works, § 26.
For Protection of the Drainage and Navigation of Bedford Level, § 28.
Mode of executing Work across Banks, § 29.
Before Works commenced Company to widen Banks if required, § 30.
Works of Company not to unite Drainage of Districts, § 31.
Land taken by the Company to be subject to Drainage Taxes, § 32.
Preserving Right to alter or divert Works of Drainage; as to Expense of new or altered Drainage Works, § 33.
As to the Construction of particular Bridges, § 34.
General Directions for crossing Rivers, &c. in the Bedford Level, § 35.
Company to uphold Works erected by them, § 36.
Company to make good unforeseen Injuries to Drainage or Navigation, § 37.
Company to keep certain Parts of Banks and Towing-paths in repair, § 38.
As to Alterations in Towing-paths or Droves, § 39.
Works in Bedford Level to be executed under the Superintendence of the Engineer of the Parties interested if required, § 40.

Penalty on Default of Company as to Works for Protection of Bedford Level; Special Damages, § 41.
Reservation of Rights of the Bedford Level Corporation, § 42.
Reservation of the Rights of the Middle Level Drainage Commissioners, § 43.
Reserving the Rights of District Commissioners, § 44.
Reserving Rights of the River Nene Navigation Commissioners, § 45.
Passenger, Merchandise, and other Tolls, §§ 46 to 54.

Cap. cxcv.

"The Alva Railway Act, 1861."

Proposes to make a Railway from the Stirling and Dunfermline Railway at or near to the Cambus Station to Alva.
8 & 9 Vict. cc. 17., 19., and 33. incorporated, § 1.
Subscribers incorporated, with a Capital of 15,000*l.* in Shares of 10*l.*, §§ 3 to 6.
Power to borrow 5,000*l.*, §§ 9, 10.
Meetings; Directors, §§ 11 to 20.
Power to make Railway, §§ 21, 22.
Junction with the Stirling and Dunfermline Railway, §§ 23, 24.
Two Years for compulsory Purchase of Lands, § 26.
Three Years for Completion of Works, §§ 27, 28.
Tolls, §§ 29 to 37.
Power for the Edinburgh and Glasgow Railway Company and the Company, to enter into Working and Traffic Arrangements, §§ 38 to 42.

Cap. cxcvi.

"The North London Railway (City Branch) Act, 1861."

Preamble recites that the Construction of a Railway between the North London Railway and Liverpool Street in the City of London, together with a Terminal Station at Liverpool Street, would be of great Advantage to the Public; that the North London Railway Company are willing to construct the said proposed Line of Railway at their own Expense; and that the London and North-western Railway Company are the Holders of a considerable Number of Shares in the Undertaking of the North London Railway, and it is expedient that Provision be made for the Appropriation to the sole and exclusive Use of that Company, and for vesting absolutely in them, a Part of the proposed Terminal Station near Liverpool Street, and that the North London Railway Company and the London and North-western Railway Company be empowered to enter into Arrangements and Agreements in reference thereto and to the Undertaking of the North London Railway; and also that the North London Railway Company and the London and North-western Railway Company respectively should be empowered to raise and apply further Capital for the Construction of the said Railway and Station, and the Works connected therewith.

Incorporation of Consolidation Acts, § 2.
Power to take Lands and to make Railways, §§ 5, 6.
Power to stop up certain Streets, § 7.
Soil of Streets permanently closed vested in the Company, § 8.
Questions of disputed Compensation in London to be heard in the Lord Mayor's Court of the City of London, § 9.
Liverpool Street to be widened to Sixty Feet, § 10.
Access to be provided from Sun Street to Liverpool Street Station, § 11.
A new Passenger Station to be constructed at Kingsland, § 12.
Regulating Stoppages at or Mode of passing such Station, § 13.
Prescribing Manner of crossing Streets in the City of London, § 14.
Streets under Bridges to be lighted by Day and Night, § 15.
Company to restore Streets, § 16.
Company to restore Sewers, Drains, &c., § 17.
Drainage Works to be subject to Commissioners, Vestry, or District Board, and their Rights, § 18.
Local Rates to be made good, § 19.
Company to make good Deficiencies in Poor and other Parochial Rates in the Parish of Saint Leonard, Shoreditch, § 20.
Penalties and Rates to be recovered, § 21.
For Protection of Sewers of Metropolitan and other Boards, § 22.
Regulating the Crossings under the Metropolis Roads, §§ 23 to 29.
Regulating Mode of crossing Worship Street, § 30.
Regulating Mode of crossing Moore's Gardens, § 31.
Prescribing Manner of crossing Streets in the Parish of Saint Leonard, Shoreditch, § 32.
Railway not to be deviated Eastward of the Centre Line at Nichols Square, § 33.
Property to be purchased at the West End of Nichols Square, § 34.
Wall to be built at the End of Nichols Square, § 35.
No Erection to be made at the End of Nichols Square, § 36.
Saving the Rights and protecting the Works of the Regent's Canal Company, § 37.
Company to construct and keep in repair the Bridge across the Regent's Canal, § 38.
Bridge to be completed in Twelve Months; Penalty on Railway Company for causing Loss of Water or Obstruction in the Navigation of the Regent's Canal, § 39.
Regent's Canal Company, and others, not to be precluded from recovering Special Damage, § 40.
Four Years for compulsory Purchase of Lands, § 41.
Five Years for Completion of Railway and Works, § 42.
Tolls and Charges, § 44.
Trains for Labouring Classes, § 45.
Providing for the continued Working of the North London Railway in connexion with the Blackwall Railway, § 46.

Power to London and North-western Railway Company to construct Station at City Terminus, § 47.
Power to sell or lease Goods Station so constructed by the Company to the London and North-western Railway Company, § 48.
Power to sell or lease to the London and North-western Railway Company the Lands required for a Goods Station to be constructed by them, § 49.
Power to London and North-western Railway Company to appropriate Funds for Purchase or Lease, § 50.
Power to make Agreements with the London and North-western Company relating to the Goods Station, § 51.
Power to make Agreement with the London and North-western Railway Company for working and other Purposes, § 52.
Conditions of Agreements, §§ 53 to 55.
Power of Company to create new Shares, § 56.
Proprietors of existing Stock to have an Option of subscribing for new Capital, § 58.
As to Votes of Holders of new Capital, § 59.
Power to borrow 233,000*l.* on Mortgage, §§ 63 to 68.
Application of Money raised under this Act, § 69.
Power to London and North-western Company to take their proportionate Amount of the new Share Capital, § 70.
Power for London and North-western Railway Company to raise additional Capital, § 71.
Regulations as to new Shares created by London and North-western Railway Company, §§ 72 to 75.
Saving Rights of City of London, § 76.
Saving the Rights of the Parish of Saint Leonard, Shoreditch, § 77.

Cap. cxcvii.

"The Coleford, Monmouth, Usk, and Pontypool (Lease, &c.) Act, 1861."

Preamble recites that by "The Coleford, Monmouth, Usk, and Pontypool Railway Act, 1853," the Company were incorporated, and so much of the Railway thereby authorized as extends from the Junction of the same with the Railway now called the West Midland Railway in the Parish of Llanvihangel Pontymoyle to Monmouth has been constructed and opened for Traffic; that the said Railway is connected and communicates with a Portion of the Railway formerly belonging to the Newport, Abergavenny, and Hereford Railway Company, now amalgamated with and forming a Portion of the Undertaking of the West Midland Railway Company, and it would be conducive to the Convenience of the Public, as well as the safe and economical working of the said Railways, that the Railway and Undertaking of the Company should be leased or sold to or be amalgamated with the Undertaking of the West Midland Railway Company.

Lease of the Undertaking of the Company to the West Midland Railway Company, § 1.
Terms, &c. of Lease, § 2.
Effect of Lease, § 3.
Evidence of Consent of Companies to Lease, § 4.
Lease of Railway not to affect Third Parties, § 5.
Schedule. (Heads of Agreement between the Coleford Company and the West Midland Railway Company, dated 31st January 1861.)

Cap. cxcviii.

"The Glasgow and Milngavie Junction Railway Act, 1861."

Proposes the making of a Railway from the Glasgow, Dumbarton, and Helensburgh Railway to Milngavie in the Counties of Dumbarton and Stirling, so as to connect the City of Glasgow with Milngavie; and to provide for the working of the proposed Railway by the Edinburgh and Glasgow Railway Company.
Incorporation of Consolidation Acts, § 2.
Subscribers incorporated with a Capital of 30,000*l.*, §§ 3 to 8.
Power to borrow 10,000*l.*, §§ 9, 10.
Meetings; Directors, §§ 11 to 20.
Power to make Railway, §§ 21, 22.
Regulating Junction with Glasgow, Dumbarton, and Helensburgh Railway, §§ 23, 24.
A certain Road may be stopped up, § 25.
Two Years for compulsory Purchase of Lands, § 27.
Four Years for Completion of Works, §§ 28, 47.
Tolls, §§ 29 to 37.
Agreement for working of Traffic, &c. confirmed, § 38.
While worked under Agreement, Parts of Edinburgh and Glasgow Railway and Glasgow, Dumbarton, and Helensburgh Railway used to be deemed Part of the Railway, § 39.
As to crossing Glasgow Waterworks Pipes at Ferguston and Kayston, § 40.
Regulating Construction of Bridge over Pipes, § 41.
Water Commissioners may repair Accidents to Pipes, § 42.
Water Commissioners not to be responsible for Damage arising from such Accidents, § 43.
Company to be responsible for Damage to Pipes, § 44.
Commissioners may lay additional Pipes, § 45.
Schedule. (Agreement.)

Cap. cxcix.

"Lynn and Hunstanton Railway Act, 1861."

Recites that the Construction of a Railway from the East Anglian Railways in the Borough of King's Lynn to Hunstanton, all in the County of Norfolk, would be attended with great local and public Advantage; and that the Line of the East Anglian Railways is now worked by the Eastern

Counties Railway Company under the Provisions of an Agreement bearing Date the 2d Day of February 1852.

Incorporation of General Acts, §§ 2, 3.

Subscribers incorporated, with a Capital of 60,000*l.* in Shares of 10*l.*, and with Power to borrow 20,000*l.*, §§ 4 to 12.

Meetings; Directors, §§ 13 to 19.

Power to make Railway, §§ 20, 21.

Level Crossings, §§ 22, 26 to 28.

Protection of Gaywood Hall Estate, §§ 23 to 25.

Regulating the Junction with the East Anglian Railways, §§ 29 to 32.

Lands to be bought by Compulsion in Three Years, § 34.

Four Years for Completion of Railway, §§ 35, 36.

Tolls, §§ 37 to 43.

East Anglian Railways Company may hold Shares amounting to 20,000*l.* in Capital of Company, may apply Monies for Contribution towards Funds of Company, and may appoint Two Directors, §§ 44 to 47.

Company may contract with other Companies as to Use of Railway, §§ 48 to 54.

Company may use Portions of East Anglian Railways, §§ 55 to 57.

Saving Rights of Crown, § 59.

Cap. cc.

"The Devon Valley Railway Act, 1861."

Recites Incorporation of Company in 1858; proposes to extend the Time for Completion of Works, and to authorize certain Deviations.

Incorporation of Consolidation Acts, §§ 2, 3.

Extending Powers of recited Act to this Act, § 4.

Power to make new Lines of Railway, §§ 5, 6.

Power to alter Levels of a Portion of the Devon Valley Railway, § 7.

Power to Company to abandon the Formation of Part of the Line, §§ 8, 9.

Power to cross a certain Road on the Level, §§ 10 to 12.

Regulating Inclinations of certain Roads, § 13.

Two Years for compulsory Purchase of Lands, § 15.

Three Years for Completion of Works, §§ 16, 26.

Tolls, §§ 17, 18.

Application of existing Capital, § 19.

Extending Time for Completion of Devon Valley Railway for Three Years from passing of this Act, § 20.

Contracts, Notices, and Actions not to be affected, §§ 21 to 23.

Provisions of recited Act as to Capital, &c. applicable to this Act, § 24.

Place of Meeting of the Company changed to Clackmannan, § 25.

Cap. cci.

"The Caledonian and Symington, Biggar, and Broughton Railways Amalgamation Act, 1861."

Preamble recites the Act incorporating the Caledonian Railway Company, and that by "The Symington, Biggar, and Broughton Railway Act, 1858," the Symington Company were incorporated, and authorized to make a Railway from the Caledonian Railway near the Symington Station in the County of Lanark, by Biggar, to Broughton in the County of Peebles, and for that Purpose to raise Share Capital to the Extent of 36,000*l.*, and to borrow the Sum of 12,000*l.*; and the Caledonian Company were required to take and hold Shares in the Capital of the Symington Company to the Extent of 7,500*l.*, and were empowered to work the Traffic on the Railway by the said Act authorized; that by "The Symington, Biggar, and Broughton Railway (Extension) Act, 1860," the Symington Company were authorized to make an Extension of their Railway from Broughton to the Town of Peebles, and for that Purpose to raise additional Share Capital to the Extent of 75,000*l.*, and to borrow the further Sum of 24,900*l.*; and the Caledonian Company were required to take and hold additional Shares in the Capital of the Symington Company to the Extent of 15,000*l.*, and were authorized to take and hold Shares in the said Capital to the further Extent of 30,000*l.*, and were likewise empowered to work the Traffic of the said Extension; that the Caledonian Company have accordingly taken and now hold Shares in the Capital of the Symington Company to the Extent of 52,500*l.*; and the Symington Company have, in addition to the Shares so held by the Company, issued Shares in their Undertaking to the Extent of 18,950*l.*, which have been fully paid up, and have borrowed the Sum of 12,000*l.*; that the Caledonian Company have, under Powers contained in the said secondly and thirdly recited Acts, raised the said Sum of 52,500*l.* by the Creation and Issue of Preference Shares in their own Undertaking; that the Symington Company have completed the Portion of their Line from the Caledonian Railway near Symington to Broughton, and the same was opened for public Traffic on the 6th November 1860, and the Traffic thereon is now being worked by the Company, and it would be attended with Advantage and Convenience if the Undertaking of the Symington Company were amalgamated with the Undertaking of the Caledonian Company; that it has been agreed that the Shares described and numbered in the Schedule to this Act, being the Shares issued by the Symington Company other than those held by the Caledonian Company, shall be exchanged for an equal nominal Amount of Share Capital of the latter Company, entitled to the same Rate of Dividend as that payable upon the ordinary Shares or Stock of the Company, from and after the Date at which the Line from the Caledonian Railway to Broughton was opened for public Traffic, but that

the Company shall have Power to redeem at par, at any Time within Five Years from and after the 13th April 1860, the Shares so given in exchange; that the Symington Company are now proceeding with the Extension of the said Line from Broughton to Peebles, and it is expedient that for the Purpose of completing the same the Caledonian Company should be authorized to raise, by means of ordinary or Preference Shares in their own Undertaking, the Portion still unissued of the Share Capital authorized by the secondly and thirdly recited Acts to be raised by the Symington Company, and to borrow such additional Monies as, together with the Sum already borrowed by that Company, will be equal to the Amount which that Company were authorized to borrow.

Companies amalgamated, and certain Provisions of Symington Company's Acts repealed, § 3.

Acts, so far as unrepealed, to apply to Caledonian Company, § 4.

Estate and Effects of Symington Company vested in Caledonian, § 5.

Debts, Liabilities, Conveyances, &c., transferred to Caledonian Company, §§ 6 to 10.

Symington Company's Shares extinguished, § 11.

Caledonian Shares to be issued to Holders of Symington Shares extinguished, § 12.

Dividend, § 13.

Caledonian Company may redeem Shares issued by them, § 15.

Caledonian Company may raise by new Shares 39,550*l.*, §§ 17 to 19.

May borrow 24,900*l.* on certain Conditions, § 20.

Certain Provisions of Companies Clauses Act (Scotland) incorporated, § 21.

Tolls, § 22.

SCHEDULE. (Description and Number of Shares in the Symington, Biggar, and Broughton Railway Company held by Persons other than the Caledonian Railway Company.)

Cap. ccii.

"The Caledonian Railway (Rutherglen and Coatbridge Branches) Act, 1861."

Proposes to enable the Caledonian Railway Company to make a Branch Railway from Rutherglen to Coatbridge, with a Branch to Whifflat.

Incorporates Consolidation Acts, § 3.

Power to execute Works, § 4.

Description of Branch Railways, § 5.

Power to alter Engineering Works, § 9.

Admiralty Provisions as to Bridge over the Clyde, §§ 10 to 12.

Three Years for compulsory Purchase of Lands, § 14.

Five Years for Completion of Works, § 15.

Tolls, § 16.

When Railway made a double Line, Monkland Railways Company may use the same, and certain other Portions of Company's Lines, on Payment of limited Tolls, § 17.

Limiting Rates on Monkland Railways Company's Traffic until double Line made, § 18.
If Rates reduced on Traffic from Wishaw or Coltness Estates, a corresponding Reduction to be made on Rates from Monkland Railways, § 19.
Such Traffic to be put on same Footing at Mineral Depôts as any other similar Traffic, § 20.
Regulating Tolls on Mineral Traffic of the Company of Proprietors of Forth and Clyde Navigation, § 21.
Power to raise Money by Creation of Shares not exceeding 180,000*l.*, § 22.
Power to borrow 60,000*l.* on Mortgage, § 25.
Certain Parts of Companies Clauses Act (Scotland) incorporated, § 26.

Cap. cciii.

"Cockermouth, Keswick, and Penrith Railway Act, 1861."

Proposes the making of a Railway commencing by a Junction with the Cockermouth and Workington Railway at or near Cockermouth, and terminating at or near Penrith in the County of Cumberland, and also a Branch Railway commencing by a Junction with the Lancaster and Carlisle Railway at or near the Penrith Station, and terminating by a Junction with the Main Line in a Field near Penrith.
Incorporation of General Acts, §§ 2, 3.
Subscribers incorporated, with a Capital of 200,000*l.*, in Shares of 20*l.*, §§ 4 to 9.
Power to borrow 66,000*l.*, § 10.
Directors; Meetings, §§ 12 to 19.
Power to make Railways, §§ 20, 21.
Company not to deviate Line without Consent, § 22.
Three Years for Lands to be purchased by Compulsion, § 24.
Five Years for Completion of Works, §§ 25, 27.
Company to construct Railway simultaneously, § 26.
Power to cross certain Roads on a Level, §§ 28 to 31.
Regulating Inclinations of certain Roads, and Width of certain Bridges, and Height of certain Arches, §§ 32, 33.
Land of Lancaster and Carlisle Railway and Cockermouth and Workington Railway Companies not to be taken without Consent, § 34.
Mode of effecting Communication with Lancaster and Carlisle and Cockermouth Railways, §§ 35 to 37.
Company and Cockermouth and Workington Railway Company may enter into Agreements for Use of Stations, § 38.
Saving Rights of these Companies, § 39.
Tolls, §§ 40 to 47.
Power for the Cockermouth and Workington Railway Company and the Company to enter into Traffic Arrangements, §§ 48 to 56.
Power to lay down Electric Telegraph, § 57.

Cap. cciv.

"The Great Western Railway (Lightmoor to Coalbrookdale) Act, 1861."

Proposes to enable the Great Western Railway Company to construct a Railway from the Terminus of the Madeley Branch of the Great Western Railway (Shrewsbury and Birmingham Section) to Coalbrookdale; and also a Branch Railway at Wednesbury, and also to acquire, for the Purposes of their Undertaking, certain Lands at Wolverhampton, and to lease the Undertaking of the Wellington and Severn Junction Railway Company; recites that the Railway from Lightmoor to Coalbrookdale will communicate with the Much Wenlock and Severn Junction Railway; and it is expedient that the Company should be empowered to enter into Arrangements and Agreements with that Company with respect to the Working and Traffic of their respective Railways, and also with respect to the Use and Management of a Station at the proposed Junction of the intended Line with the Wenlock Railway; that Powers were granted to the Company and the Vale of Llangollen Railway Company, and to the Company and the Llangollen and Corwen Railway Company, by "The Vale of Llangollen Railway Act, 1859," and "The Llangollen and Corwen Railway Act, 1860," respectively, to make and carry into effect Contracts with respect to the Working, Use, and Maintenance by the Company of the Undertakings of the said Two Companies respectively, provided always, that any such Contract should not be for more than Ten Years; and the Company, and the said other Companies respectively, have, in pursuance of the Powers so granted, made and entered into Contracts for the Working, Use, Maintenance, and Management by the Company of the respective Undertakings of the said Two Companies; but it is expedient that the Company and the said other Companies should be authorized to make and carry into effect Agreements in regard to the Matters aforesaid, without Restriction as to the Term of Endurance of the same.

Incorporation of Consolidation Acts, § 2.
Power to make Railway and Branch, § 4.
Regulations as to the Bridge over Birmingham Canal, §§ 6 to 13.
Tolls of Shrewsbury and Birmingham Railway to apply, § 14.
Power to take Lands at Wolverhampton, § 15.
Two Years for compulsory Purchase of Lands, § 16.
Four Years for Completion of Works, § 18.
Leasing Powers as to Wellington and Severn Junction Railway, §§ 20 to 26.
The Great Western Company and the West Midland Company empowered to make Agreements, § 27.
Power to make Traffic Agreements with Much Wenlock and Severn Junction Company, § 28.
Power to enter into Working Agreements with same, § 29.
Conditions of such Agreements; Joint Committee, §§ 30 to 36.

Power to make Agreements with Wenlock Company as to Stations, §§ 37 to 39.
Provision as to Working Agreements with Vale of Llangollen and Llangollen and Corwen Railway Companies, § 40.
Period for Sale of superfluous Lands extended, § 41.
Power to apply Corporate Funds, § 42.

Cap. ccv.

"The Kirkcudbright Railway Act, 1861."

Proposes the making of a Railway from the Royal Burgh of Kirkcudbright to the Town of Castle Douglas, and of a connecting Line therefrom to the Port Patrick Railway at that Town; recites that the proposed Railways might be beneficially worked in connexion with the Railways of the Glasgow and South-western Railway Company, the Castle Douglas and Dumfries Railway Company, or the Port Patrick Railway Company; and it is expedient that the said Companies should be respectively authorized, if they think fit, to contribute towards the proposed Undertaking, and take and hold Shares therein, and to enter into Contracts for working the Railways, and for the Interchange of Traffic, and the Use of their respective Railways and Stations; that the Magistrates and Town Council of the Royal Burgh of Kirkcudbright are possessed of Farms, Building Land, Houses, and other Real Property adjoining and within the said Royal Burgh, and the Revenue arising therefrom for the past Year amounted to 1,200*l.*, and for the current Year is estimated at 1,400*l.*; that it is calculated that the annual surplus Revenue of the said Royal Burgh will amount to 270*l.*; that the Main Line of the proposed Railways will traverse the Lands of the said Royal Burgh for a Distance of upwards of a Mile, and a considerable Sum will be payable by the proposed Company for the Land required for the Construction of the said Main Line; and it is expedient that the said Sum should be converted into an annual Feu Duty or Ground Annual, pursuant to the Provisions of the Lands Clauses Consolidation Acts; that the Railways would materially increase the Value of the Property of the said Royal Burgh, and promote the Trade and Prosperity of the Town; that the Harbour of Kirkcudbright is vested in the said Magistrates and Town Council, and the Revenue thereof would be largely increased by the proposed Railways; and it has been proposed that in the event of the said Royal Burgh not being speedily connected by Railway with the existing Railways in the Stewartry of Kirkcudbright, the Local Courts and the official Business of the said Stewartry should be removed from the said Royal Burgh to Castle Douglas, which Removal would be highly prejudicial to the said Royal Burgh and the Inhabitants thereof, and would seriously depreciate the Value of the Real Property belonging to the said Royal Burgh, and render useless and unremunerative some of the Public Buildings, upon the Erection of which large Sums have been expended;

and that for the Reasons above stated it is expedient that the said Magistrates and Town Council should be authorized to contribute towards the Undertaking.

Incorporation of General Acts, § 1.

Company incorporated, with a Capital of 60,000*l.*, and Power to borrow 20,000*l.*, §§ 3 to 10.

Glasgow and South-western, Castle Douglas and Dumfries, and Port Patrick Railway Companies may contribute Funds and hold Shares.

11. It shall be lawful for any One or more of the following Companies; (that is to say,) the Glasgow and South-western Railway Company, the Castle Douglas and Dumfries Railway Company, and the Port Patrick Railway Company, who shall so think fit, to contribute and apply their respective Funds towards the Undertaking, to such an Extent as shall be agreed upon with the Company, not exceeding the following Sums respectively; (that is to say), the Glasgow and South-western Railway Company the Sum of 20,000*l.*, the Castle Douglas and Dumfries Railway Company the Sum of 5,000*l.*, and the Port Patrick Railway Company the Sum of 5,000*l.*, and to take and hold Shares in the Company to an Extent corresponding to the Amount so agreed to be contributed by such Companies or Company respectively; and, except as hereinafter expressly provided, the said Companies or Company shall, in respect of the Shares held by them respectively, have all the Powers, Rights, and Privileges, and be subject to all the Obligations and Liabilities of Proprietors of Shares in the Company: Provided always, that any Company so contributing shall not vote in respect of such Shares in relation to the Company's Approval of or Assent to any Agreement, Contract, or Arrangement which, pursuant to the Provisions hereinafter contained, may be entered into with any of the above-named Companies.

Power to those Companies to raise Money for that Purpose by the Creation of Shares, with or without a Preference not exceeding 5*l.* per Cent., §§ 12, 13.

Magistrates and Town Council of Kirkcudbright may contribute Funds and hold Shares.

14. It shall be lawful for the Provost, Magistrates, and Town Council of the Royal Burgh of Kirkcudbright, hereinafter called "the Town Council," if they shall think fit, to contribute towards the Undertaking to an Extent not exceeding 3,000*l.*, and to take and hold Shares in the Company to an Extent corresponding to the Amount so to be contributed, and to apply towards such Contribution the Corporate Funds of the Burgh, and any of the Monies which the Town Council are by this Act authorized to raise; and the Town Council, in respect of the Shares so taken and held by them, shall have all the Powers, Rights, and Privileges, and be subject to all the Obligations and Liabilities of Proprietors of Shares in the Company.

Power to Town Council to borrow Money.

15. It shall be lawful for the Town Council, for the Purpose of the said Contribution, from Time to Time to borrow, and, if paid off, again to borrow, on the Security of the Common Good, and Lands, Heritages, and other Property, of the said Burgh, any Sum or Sums not exceeding in the whole the Sum of 3,000*l.* Sterling; and the Deeds of Security to be granted for any Sum or Sums so borrowed may be either, as nearly as may be, in the Form contained in Schedule B. to "The Commissioners Clauses Act, 1847," or in such other

Form

Form as may be appropriate to the Subject and Nature of the Security, and in accordance with the Law of Scotland at the Time; and every such Deed of Security shall be sealed with the Common Seal of the Town Council, and subscribed by at least Four Members of the Town Council at One of their Meetings: Provided always, that the Sums so to be borrowed by the Town Council shall be applied solely to the Purpose of the said Contribution.

Incorporation of Portion of "The Commissioners Clauses Act, 1847," § 16.

Providing for paying off Money borrowed, by means of a Sinking Fund, § 17.

Arrears on Mortgages may be enforced by Appointment of a Receiver, § 18.

Compensation for Lands taken from Magistrates and Town Council, to be payable by way of annual Feu Duty, § 19.

General Meetings; Directors, &c., §§ 20 to 27.

Power to make Railways, § 28.

Power to alter Engineering Works on obtaining Certificate of Board of Trade, § 29.

As to Junctions with Port Patrick Railway, § 30.

Lands and Works of Castle Douglas and Dumfries and of Port Patrick Railway Companies not to be interfered with, except by Consent, § 31.

Power to use Portions of Port Patrick Railway, § 33.

Saving Rights of Port Patrick and Castle Douglas and Dumfries Railway Company, § 34.

Rails may be laid on Level of a certain Street, § 35.

Road or Path may be stopped up, § 36.

Certain Footpaths may be crossed on the Level, § 37.

Regulating the Inclinations of a certain Road, § 38.

Confirming Agreement with Proprietor of Kelton Estate, § 39.

Bridge across River Dee how to be constructed; Admiralty Provisions, §§ 40 to 45.

Three Years for compulsory Purchase of Lands, § 47.

Five Years for Completion of Works, §§ 48, 65.

Tolls, §§ 49 to 56.

Power to the Company and certain other Companies to enter into Contracts for working the Railway, &c., §§ 57 to 64.

Saving Rights of Crown, § 67.

Cap. ccvi.

"The Birmingham Improvement Act, 1861."

Proposes to amend the Birmingham Improvement Act, 1851.

This Act and the Birmingham Improvement Act, 1851, to be read as One Act, § 2.

Power to Council to take Lands, &c. in Book of Reference, §§ 4, 5.

Power to Council to construct Works, § 6.

Protection of London and North-western Railway Company, §§ 7 to 11.

The Provisions of the Birmingham Improvement Act, 1851, as to the Purchase and taking of Lands, to extend to the Purchase and taking of Lands under this Act, §§ 12 to 14.
Bridge in Cross Road, § 15.
Powers of compulsory Purchase of Lands not to be exercised after the Expiration of Five Years, § 16.
Sites and Land appropriated for new Streets to form Part of Highways within Borough, § 17.
Power to purchase Lands by Agreement, § 18.
The 31st Section of the Towns Improvement Act extended, § 19.
Power to widen, cleanse, and improve the Rivers Rea and Cole, and Hockley Brook, § 20.
Repeal of 33d Section of recited Act, § 21.
Approval necessary to new Houses, § 22.
Waste Land to be fenced, § 23.
Paths dedicated to the Public to be repaired, § 24.
Paths open but not dedicated to the Public to be repaired or closed, § 25.
Powers of 55th Section of Towns Improvement Act may be exercised without the Application of the neighbouring Owners, § 26.
Plans of new Streets to be deposited, § 27.
Right of Appeal from the Determination of the Council, § 28.
The 44th Section of the recited Act repealed, § 29.
Future Buildings to be set back Seven Yards from the Centre of Street or Road, § 30.
Penalty for suffering Roads to be in a dangerous Condition, § 31.
Council on Application of Owners to pave Streets, the Owners paying One Half of the Expenses, § 32.
67th Section of Towns Improvement Act incorporated, § 33.
Power to prescribe the Line of new Buildings, § 34.
Power to pull down Houses and bring them to the Line of the Street, § 35.
Repeal of Part of Section 36 of recited Act, § 36.
Repeal of 37th Section of recited Act, § 37.
Council may declare that Streets not being Highways are urban or suburban, § 38.
Urban and suburban Streets when sewered, &c. to be declared Highways upon Application of Owners, &c., § 39.
Council may declare urban and suburban Streets to be Highways when sewered, guttered, kerbed, &c., § 40.
Streets to be Highways when so declared by the Council, § 41.
Service of Orders to pave Footways, § 42.
Council may complete Footways upon Neglect of Owners to do so after Notice, § 43.
Power to Council to superintend and to make Drains, &c., § 44.
Power to Council to order Streets to be completed. Part of a Street not a Highway, but crossed by a Highway, shall be deemed Part of the Highway, § 45.
In default Council may complete Streets, § 46.

Bridge may be erected at Hobmoor Lane, § 47.
To be maintained as if a County Bridge, § 48.
Clauses in Towns Improvement Act as to ruinous Buildings to apply to dangerous Balconies, § 49.
Penalty for throwing Dirt into Streets, § 50.
External Walls to be Nine Inches thick, § 51.
Council may construct Slaughter-houses, § 52.
Council may enter upon Lands for surveying and other Purposes, § 53.
Incorporation of the Lands Clauses Consolidation Acts Amendment Act, 1860, § 54.
Repeal of Part of the 76th Section of the recited Act, § 55.
Meaning of the Words "Collector" and "Clerk," § 56.
Tolls to be payable on first coming into the Market, § 57.
Animals, &c. to be speedily removed, § 58.
Stalls may be let for Three Years, § 59.
No Assignment to be executed without the Consent of the Council, § 60.
Council may establish new Markets and Fairs, § 61.
Horses, Cattle, &c. not to be sold except in the Market, or with Licence of the Council; Proviso saving Rights of Licensed Hawkers and Horse Dealers, § 62.
Infected Cattle to be seized, § 63.
Constables may arrest Persons guilty of Offences specified in last Two Clauses without Warrant, § 64.
Council may fix Stands of Carriages by Resolution, § 65.
Licences to Proprietors and Drivers of Hackney Carriages to be made out by Clerk of Council or other Person appointed, § 66.
Part of 46th Section of Towns Police Clauses Act, 1847, repealed, § 67.
Drivers Licences to be in force for One Year, subject to Powers of Suspension and Revocation, § 68.
Provisions of recited Act as to Constables to apply to Constables appointed under Municipal Corporations Act, § 69.
Collectors may be appointed Constables, § 70.
Penalty for bringing Spirits, &c. into Police Station, § 71.
Hawkers of Coal to carry Scales and Weights, § 72.
Provision for regulating Places for Dancing, Music, and other Public Entertainments; Appeal to Court of Queen's Bench, § 73.
Barricades may be erected at the Time of Processions, § 74.
Costs may be awarded in Applications under Clauses 96, 97, and 101 of the recited Act, § 75.
Repeal of Section 106 of the recited Act, § 76.
Gas Companies not to allow offensive Matters to flow into any Sewer, § 77.
Expenses of Improvements to be charged upon Street Improvement Rate, § 78.
All other Expenses of carrying this Act into execution to be borne by the Borough Improvement Fund, § 79.
Costs may be recovered on Proceedings for the recovering of Rates, § 80.
Council may make Byelaws, § 81.

As to Construction of Steam Engines within the Borough, § 82.

Owners liable for Penalties on Drivers of Carts where Drivers cannot be found, § 84.

Power to borrow additional Sums, as herein named.

85. In addition to the Sums which the Council is authorized to borrow under or by virtue of the recited Act, the Council may from Time to Time borrow the further Sums following; (that is to say,)

First, upon Mortgage of the said Street Improvement Rate such further Sum or Sums of Money, not exceeding in the whole the Sum of 50,000*l.*, as the Council may think proper, for the Purposes for which the said Street Improvement Rate is applicable:

Second, upon Mortgage of any of the other Rates to be levied under the Powers of the recited Act and of this Act (except the Water Rate), or upon Mortgage of the Lands, Properties, Rents, and Revenues of the Mayor, Aldermen, and Burgesses of the Borough, all such Sums of Money as may be necessary for paying off all or any of the Bonds, Debts, Mortgages, Annuities, Monies, and Securities for Money, respectively specified or mentioned or referred to in the 7th Section of the recited Act, and herein-after referred to as the "Commissioners Bonds," which Sums, so to be raised as last aforesaid, shall be accordingly applied in the Payment of the Monies due upon the Commissioners Bonds in such Manner as the Council shall think fit:

Third, upon Mortgage of all or any of the Rates to be levied under the Powers of the recited Act and of this Act (other than and except the Water Rate and the Street Improvement Rate), or upon Mortgage of the Lands, Properties, Rents, and Revenues of the said Mayor, Aldermen, and Burgesses, or otherwise as the Council shall approve, such further Sum or Sums of Money, not exceeding in the whole the Sum of 150,000*l.*, as the Council shall from Time to Time think fit, for the Purposes of the Sewerage, Foot Pavement, and other permanent structural Works to be made under the Provisions of the recited Act and of this Act, except the Purchase of the Works and Reservoirs of the Birmingham Waterworks Company.

Application of Monies borrowed for Sewerage, &c.

86. All Monies borrowed under the Authority of this Act for the Purposes of the Sewerage, Foot Pavement, and other permanent structural Works, shall be appropriated and applied in the following Manner; (that is to say,) 100,000*l.*, Part thereof, shall be applied (subject to the Provisions herein-after contained) for the Purpose of the Sewerage of the Borough, and the Works incident thereto, and to the Repayment of the Monies now due in respect of such Works, and to no other Purpose whatsoever; and of such Sum of 100,000*l.*, 40,000*l.*, or so much of that Sum as shall be requisite, shall be applied within Two Years after the passing of this Act in constructing, improving, and completing the Main Sewers of the Borough: Provided always, that if after the Main Sewers of the said

Borough

Borough and the Branch Main Sewers in Streets being public Highways at the passing of this Act shall have been constructed, any Part of the said Sum of 100,000*l.* shall remain unexpended, it shall be lawful for the Council to apply and appropriate the same in the same Manner as the Sum of 50,000*l.*, Residue of the said Sum of 150,000*l.*, is herein-after directed to be applied and appropriated; and the Sum of 50,000*l.*, Residue of the said Sum of 150,000*l.*, shall be applied and appropriated for the Purpose of the Sewerage, Foot Pavement, and other permanent structural Works under the Provisions of the recited Act and of this Act, except the Purchase of the Works and Reservoirs of the Birmingham Waterworks Company.

Persons advancing Money not bound to see to Application thereof, § 87.

Sums borrowed to be repaid within Periods limited.

88. The whole of the Sum or Sums borrowed under this Act, and the Interest accruing due thereon from Time to Time, shall be repaid within 50 Years from the Time of borrowing the same, except the said Sum of 50,000*l.* hereinbefore authorized to be borrowed upon Mortgage of the said Street Improvement Rate, which shall be repaid within 30 Years from the Time of borrowing the same; and for the Purposes aforesaid the recited Act shall be read and construed as if this present Section were incorporated with the 141st Section of the recited Act, immediately after the Words "which shall be repaid within 50 Years from the Time of borrowing the same," and the Sections in the recited Act applicable to the respective Sums thereby authorized to be borrowed shall be applicable, mutatis mutandis, to the Sums hereby authorized to be borrowed: Provided also, that if, after having borrowed all or any Part of the Money hereby authorized to be borrowed, the Council shall pay off the same, except by means of the Sinking Fund, it shall be lawful for them again to borrow the Amount so paid off, and so from Time to Time: Provided also, that every Sum of Money so borrowed in the Place of any Money paid off, shall itself be paid off within the Period of 50 Years or 30 Years, as the Case may be, within which the Money originally borrowed would have been payable.

Power to re-borrow.

Mortgagee in possession may recover Monies paid by them for Sewering, &c., in the same Way as their Principal and Interest, § 89.

Tenants for Life, &c. authorized to charge a Portion of Expenses on Property, § 90.

Application of Sinking Fund, § 91.

Annual Accounts to be made up in October, § 92.

Power to Council to lay down Tramways, § 93.

Schedule. (Tolls.)

Cap. ccvii.

"The Cork and Macroom Direct Railway Act, 1861."

Proposes the making of a Railway, commencing by a Junction with the Cork and Bandon Railway near the City of Cork,

and terminating at the Town of Macroom, and to enable the Cork and Bandon Railway Company and the Company incorporated by this Act, to make Agreements with respect to the Interchange of Traffic, and to the Use and Working of the proposed Railway.

Incorporation of Consolidation Acts, § 1.
Incorporation of Company, with a Capital of 120,000*l.*, and Power to borrow 40,000*l.*, §§ 3 to 10.
Meetings; Directors, §§ 11 to 16.
Power to make Railways and Works, §§ 17 to 19.
Certain Roads may be crossed on the Level, §§ 20 to 23.
Communications with Cork and Bandon Railway, §§ 25 to 27.
Three Years for compulsory Purchase of Lands, § 29.
Five Years for Completion of Railway, §§ 30, 31.
Tolls, §§ 32 to 40.
Power to enter into Traffic Arrangements with Cork and Bandon Railway Company, §§ 41 to 47.
Power for Company to work over Cork and Bandon Railway, § 48.
As to User of Station and Railway of Cork and Bandon Company, § 49.
Cork and Bandon Company to lay down on Part of their Railway an additional Line of Rails, § 50.
Appointment of Arbitrators, § 51.
Saving Rights of the Crown, § 52.
For preserving Dues payable to the Corporation of Cork, § 53.
For further Protection of the Corporation of Cork, § 54.

Cap. ccviii.

"The London and North-western Railway (Additional Powers) Act, 1861."

Proposes to enable the London and North-western Railway Company to construct Railways in the Parish of Burton-upon-Trent in the County of Stafford; to provide for the Use by the Company, for certain Purposes, of the Railways, Sidings, and Junctions of the Midland Railway Company within the Parish of Burton-upon-Trent, and to enable them to enter into Agreements in relation to the Construction and Ownership of the proposed new Railways, and the Traffic thereon; recites that by "The Midland Railway and Burton-upon-Trent Bridge Act, 1859," the Agreement set forth in the Schedule to that Act, and having relation to the Use by the Company of certain Portions of the Railways and Works at Burton of the Midland Railway Company, including Portions of the Railways which that Company were by that Act authorized to construct, was confirmed; that by "The Midland Railway (Burton Branches) Act, 1860," the Midland Railway Company were empowered to make Railways in substitution for Parts of the Railways authorized by "The Midland Rail-

way and Burton-upon-Trent Bridge Act, 1859," and it is expedient that the Provisions of Section 21 of the last-mentioned Act, and the Agreement in the Schedule to that Act should be extended and made applicable to such substituted Railways; that it is expedient that the Company be empowered to make the Alteration or Deviation hereinafter defined in the public Highway leading from Wylde Green to the Turnpike Road called "The Old Chester Road," from Stonnall to Stone Bridge in the Parish of Sutton Coldfield in the County of Warwick, and to stop up, discontinue, and appropriate the Site of so much of the existing Highway as will become unnecessary; that it is expedient that the Company and the Great Western Railway Company, or either of them, be empowered to make an Alteration in the Levels of the Turnpike Road from Kensington to Hammersmith; also that the Company be empowered to purchase, for the Purposes of their Undertaking, Lands and Houses in various Parishes and Places lying contiguous to their Railway or Stations; that under the Powers of "The Shropshire Union Railways and Canal Lease Act, 1847," a Lease has been granted by the Shropshire Union Railways and Canal Company to the Company of that Undertaking; that it is expedient that an Agreement, dated 25th March 1857, in relation to the leasing of the Undertaking of the Shropshire Company to the Company, be ratified and confirmed; that the Company on the one hand, and the South Leicestershire Railway Company and the Midland Railway Company, or either of them, on the other hand, be empowered to enter into and carry into effect Arrangements and Agreements with respect to the Railway, Stations, and Works of the South Leicestershire Railway Company, and the User thereof by the Company, and with respect to the Traffic passing over the same; that the Company and the Midland Railway Company, and the Stockport, Disley, and Whaleybridge Railway Company be empowered to make and carry into effect Arrangements and Agreements with respect to the Construction of a Station at Buxton in the County of Derby, for the joint or separate Use of those Companies, or any of them, and with reference to the Appropriation to that Purpose of the Lands, or some of them, now or hereafter belonging to those Companies, or any of them, and with reference to the Working, User, Management, and Control of the said Station, and of the Traffic in, to, or from the same, and with reference to other Matters connected with the said Station; that the Company be empowered to abandon the Construction of so much of the Railway authorized by "The London and North-western Railway (Sutton Coldfield Branch) Act, 1859," as is in Section 3 of that Act called "The Spur;" and that the Company and the London, Brighton, and South Coast Railway Company, the London, Chatham, and Dover Railway Company, and the Great Western Railway Company, or any One or more of those Companies, should be empowered to enter into and carry into effect Arrange-

ments and Agreements with respect to the Station at Pimlico, called the Victoria Station, and the Lines of Railway connected therewith, and with respect to the Traffic passing over the same.

Incorporation of Consolidation Acts, §§ 2, 3.

Power to take Lands, § 4.

Power to make Railways, &c., § 5.

Company to transfer Railways to Midland Railway Company, § 6.

Level Crossing, §§ 7, 8.

Power to alter Engineering Works, § 9.

Power to make an Alteration in Highway leading from "Wylde Green" to "Old Chester Road," § 11.

Alterations in Levels of Turnpike Road from Kensington to Hammersmith, § 12.

Provisions for Protection of West Middlesex Waterworks Company, §§ 13, 14.

Regulating the Crossing under the Metropolis Roads, §§ 15 to 21.

Notice to be given to Vestry of the Parish of Kensington before breaking up Roads, &c., §§ 22 to 25.

As to Restoration of Drains, Sewers, and Roads in Kensington, §§ 26 to 30.

Certain Land not to be taken without Consent of the West London Extension Railway Company, §§ 31, 32.

Lands acquired in Kensington, &c. to form Part of the Undertaking of the West London Railway, § 33.

Company not to take certain Part of Kensington Crescent, § 34.

Compensation to be made to Mr. Pennington's Trustee if his Property be injuriously affected, § 35.

Two Years for compulsory Purchase of Lands, § 36.

Time for Completion of Railways respectively, §§ 37, 38.

Power to Company and Midland Railway Company to enter into Agreements with respect to new Railways, § 39.

Extending Provisions of Section 21 of Midland Railway and Burton-upon-Trent Bridge Act, 1859, and Agreement referred to in that Act, to Railways constructed by Midland Company under Midland Railway (Burton Branches) Act, 1860, § 40.

Power to Company to use Portions of Midland Railway for certain Purposes, § 41.

Confirming Agreement with Shropshire Union Railways and Canal Company, § 42.

Power to make Agreements with reference to South Leicestershire Railway, § 43.

Arrangements with respect to Joint Station at Buxton, § 44.

Power to abandon Part of Sutton Coldfield Line, §§ 45, 46.

Power to enter into Agreements with respect to Victoria Station, §§ 47 to 52.

As to Footpath at Arpley Station, § 53.

Power to raise additional Capital of 100,000*l.*, §§ 54 to 58.

Power to borrow 33,000*l.*, §§ 59, 60.

Power to apply Corporate Funds to Purposes of this Act, § 61.

Defining Capital of Company.

62. And whereas the Capital in Shares and Stock which the Company and the Buckinghamshire Railway Company have created under Acts of Parliament passed prior to the present Session, consists of the following Descriptions of Shares or Stock; that is to say,

	£
London and North-western ordinary Stock - - - -	25,710,666
Huddersfield and Manchester Shares, entitled to Seven Tenths of the ordinary Dividend - - -	1,041,570
Leeds, Dewsbury, and Manchester Shares, entitled to Seven Tenths of the ordinary Dividend - -	600,000
Coventry and Nuneaton Shares, entitled to a fixed Dividend of 5 per Centum per Annum - - - -	270,000
	£27,622,236
Buckinghamshire Shares - -	1,245,000
	£28,867,236
Permanent London and North-western Debenture Stock - - -	1,719,526
	£30,586,762

And whereas the Company had raised on Debenture Bonds, on the 30th Day of April 1861, the Sum of 10,488,324*l.*, including therein Monies which they were authorized to borrow under the Acts relating to the Buckinghamshire Railway: And whereas the Company claim to be entitled to raise under Acts passed prior to the present Session, including the Acts relating to the Buckinghamshire Railway, further Sums by Shares or Stock, and by borrowing, and it is expedient that such Power should be restricted: Therefore the total aggregate Amount in Shares or Stock which the Company shall raise under any Acts passed prior to the present Session of Parliament, shall not exceed the Sum of 27,622,236*l.*; and the Amount of the Debenture Stock and of the Debenture Bonds, including the Money raised for the Purposes of the Buckinghamshire Railway, shall not exceed the aggregate of the Sums of 1,719,526*l.* and 10,488,324*l.*

SCHEDULES:

1. Agreement with Shropshire Union Railway and Canal Company.
2. Agreement with Corporation of Warrington.

Cap. ccix.

"The Somerset Central Railway Act, 1861."

Recites that by "The Somerset Central Railway (Glastonbury to Bruton) Act, 1856," the Company were authorized to

make a Railway from Glastonbury to a Junction near to Bruton with the Main Line of the Wilts, Somerset, and Weymouth Railway of the Great Western Railway Company, and the Period within which the Powers of the Company for the compulsory Purchase of Lands for the Purposes of the Act should be exercised, was limited to Two Years after the passing of the Act, and the Company were required to complete the Railway and Works by the reciting Act authorized within Four Years after the Commencement of the Act; that those Periods have expired, and it is expedient that the Powers of the Company for the Purchase of additional Lands and the Execution of Works, for the Purposes of their Act of 1856, be revived; and that the Company be authorized to alter and enlarge the Station Accommodation on their Lines of Railway, and to make additional Stations and other Works in connexion with their Lines of Railway; and to raise further Monies for the Purposes of their Undertaking.

Incorporation of Consolidation Acts, §§ 2, 3.
Power to take Lands, § 5.
Limit of Time for compulsory Purchases of Lands, § 6.
Power to execute Works, §§ 8, 9.
Certain Sections of 19 & 20 Vict. c. cii. extended to this Act, § 10.
Railway may be on the Broad or Narrow Gauge, § 11.
One Year for Completion of Works, §§ 12, 13.
Contracts under Act of 1856 not to be prejudiced, § 14.
Tolls, §§ 16, 17.
Power to raise further Capital of 85,000*l.*, §§ 19.
Disposal and Conditions of new Shares, §§ 22 to 33.
Power to borrow on Mortgage 173,000*l.* in the whole, §§ 34 to 36.
Saving Rights of the Crown and of other Parties, §§ 40, 41.

Cap. ccx.

"The South Wales Mineral Railway Act, 1861."

Recites that by "The South Wales Mineral Railway Act, 1853," the Company were incorporated for the making of a Railway from the South Wales Railway to Glyncorrwg, in Glamorganshire, with a Branch Railway to the Forchdwm Colliery, and a Portion of the Line is opened for Traffic, and considerable Progress has been made in the Construction of the Remainder; that by Agreement dated the 4th Day of January 1856, they have agreed to grant a Lease of their Undertaking to "The Glyncorrwg Coal Company" (now Limited) for 99 Years; and it is expedient that Power should be given to the said Glyncorrwg Coal Company (Limited) and to the Company to vary the Terms and Conditions of the said Lease, and that they should be empowered to connect their Railway with the Briton Ferry Docks by the Construction of the Railway after mentioned; that they require for the Purposes of their Undertaking certain Lands which they had Powers to purchase under

their Act of Incorporation, but those Powers have expired by Effluxion of Time, and it is expedient that they should be revived; that the Company are by the said firstly-recited Act empowered to raise 85,000*l.* by the Creation of 8,500 Shares of 10*l.* each, and to borrow 28,000*l.*, and 6,275 of the said Shares have been issued, and 50,000*l.*, or thereabouts, have been paid thereon, and the Company have borrowed on Mortgage and now owe 28,000*l.*; that it is necessary that the Company should have Power to raise further Monies beyond those authorized by the firstly-recited Act, both for the Completion of the Railways already authorized and for making the Railway by this Act authorized; and to attach to their unissued Shares and to the Shares to be raised under this Act a Preference or Priority of Dividend.

Incorporation of Consolidation Acts, §§ 1, 2.
Power to construct new Line of Railway, §§ 3, 4.
Communication with Railway belonging to Briton Ferry Floating Dock Company to be made under the Direction of the Engineer of that Company, §§ 5 to 8.
Lands to be bought by Compulsion in Two Years, § 9.
Three Years for Completion of Railway, §§ 10, 11.
Revival of Powers for Purchase of certain Lands for One Year, §§ 13 to 15.
Company may cancel forfeited Shares; defining Conditions of Forfeiture and cancelling, § 16.
Company may accept Surrenders of Shares, § 17.
Power to issue new Shares instead of those cancelled or surrendered, § 19.
Power to Company to raise additional Capital of 30,000*l.*, with or without a Preference not exceeding 6*l.* per Cent., §§ 20 to 26.
Power to borrow 10,000*l.*, § 27.
Application of Sums raised under this Act, § 28.
Incorporation of Parts of "Companies Clauses Act," § 29.
Power to vary the Terms of Lease, § 30.

Cap. ccxi.

"Stockport District Waterworks Act, 1861."

Incorporation of General Acts, §§ 2, 3.
Limits of Act for Supply of Water, § 4.
Waterworks, &c. not to be made, or Water supplied, within certain Limits in the Township of Bredbury, § 5.
Incorporation of Company, with a Capital of 100,000*l.*, and Power to borrow 25,000*l.*, §§ 6 to 10.
Meetings; Directors, §§ 12 to 19.
Power to make Works, § 20.
Three Years for the compulsory Purchase of Land, § 22.
Waterworks to be made within Five Years, § 23.
As to the crossing of the Macclesfield Canal, § 26.
For Protection of the Owners of the Macclesfield Canal, § 27.
Works for Protection of Colonel Davenport, § 28.

For the Protection of the Manchester and Buxton Turnpike Road, § 29.
Appointment of Reservoir Keeper, § 30.
Rate at which Water is to be supplied for domestic Purposes, §§ 31, 32.
Company to supply Drinking Fountains free of Charge, § 33.
Supply to Tenements in a Row, § 34.
Water not necessarily under Pressure, § 37.
Penalties for Waste or Fraud, §§ 39, 40.
Power to Company to let Meters for Hire, §§ 41 to 43.
Contracts for supplying Water for public Purposes, § 45.
Recovery of Charges for Supply of Water. § 46.
Power for Justices to order Inquiry into State of Reservoir, §§ 51 to 59.
Saving the Rights of the Owners of the Macclesfield Canal, § 60.

Cap. ccxii.

"West Midland and Severn Valley Companies Act, 1861."

Preamble recites that the Severn Valley Railway Company was incorporated in 1853 for the Purpose of making a Railway from the Oxford, Worcester, and Wolverhampton Railway, near Hartlebury in Worcestershire, to Shrewsbury, with a Branch therefrom, which Act was repealed, and the Powers therein re-enacted by the Company's Act of 1855, and the Powers of the last-mentioned Act were varied and extended by their Acts of 1856 and 1858; that by "The West Midland Railway Act, 1860," the Name of the Oxford, Worcester, and Wolverhampton Railway Company was changed to that of the West Midland Railway Company; that under the Provisions of the Severn Valley Railway (Leasing) Act, 1860, the West Midland Company are authorized to take a Lease of the Severn Valley Railway; that the Severn Valley Railway is in the Course of Construction, but no Part thereof has yet been opened for public Traffic; that in 1853 the Wellington and Severn Junction Railway Company were incorporated, and authorized to make a Railway from Wellington to Coalbrookdale, and an Extension to the River Severn, and that such Railway is completed and opened for public Traffic; that the Construction of a Railway from the Severn Valley Railway, in the Foreign of Kidderminster, to the West Midland Railway, near the Kidderminster Station of that Railway, would facilitate the Communication between the North-western Part of the West Midland Railway and the Towns and Districts which will be accommodated by the Severn Valley Railway and the Railways with which the Severn Valley Railway will unite, and otherwise be of public and local Advantage; that it is expedient that such Powers of leasing the Undertaking of the Wellington and Severn

Junction Railway Company be given as are herein-after contained; and that the Severn Valley Company be authorized to raise further Monies.
Incorporation of Lands and Railways Clauses Acts, and of Parts of Companies Clauses Consolidation Act, §§ 2 to 5.
Power to make Railway, §§ 6, 7.
Power to alter Engineering Works, § 8.
For protecting the Staffordshire and Worcestershire Canal, and the Erection and Maintenance of a Bridge over the same, § 9 to 20.
Railway to form Part of Severn Valley Railway, § 21.
Four Years for the Completion of Works, §§ 22, 23.
Release of Part of Money deposited, § 24.
Power to Severn Valley Company to raise additional Capital of 60,000*l.* by 5*l.* per Cent. Preference Shares, §§ 25 to 29.
Power to borrow 20,000*l.*, §§ 30 to 32.
Severn Valley Company may apply existing Funds, § 33.
Leasing Powers as to Wellington Company, §§ 34 to 38.
The West Midland Company and Great Western Railway Company may make Agreements; Conditions of such Agreements, §§ 39 to 45.
Power for the West Midland and Severn Valley Companies to enter into Traffic Arrangements, §§ 46 to 52.
Schedule. (Agreement between the Wellington Company, the West Midland Company, and the Great Western Company.)

Cap. ccxiii.

"Worcester, Bromyard, and Leominster Railway Act, 1861."

Proposes to make a Railway from the West Midland Railway at Bransford Bridge in the County of Worcester, to the Shrewsbury and Hereford Railway near Leominster in the County of Hereford.
Incorporation of General Acts, §§ 1, 3.
Subscribers incorporated, with a Capital of 200,000*l.* in Shares of 10*l.*, and with Power to borrow 66,500*l.*, §§ 4 to 10.
Meetings; Directors, §§ 11 to 18.
Power to make Railway, §§ 19, 20.
Communication with other Railways to be made under the Direction of the Engineer of that Railway, §§ 23, 24.
Five Years for Completion of Works, §§ 25, 26.
Release of Part of Money deposited, § 27.
Tolls, §§ 28 to 37.
Powers to use certain Railways and Portions of Railways, § 38.
Terms of such Use, § 39.
For protecting local Traffic, § 40.
For facilitating the Interchange of Traffic between the Railway and the Shrewsbury and Hereford Railway, § 41.
Power to enter into Traffic Arrangements with West Midland Railway Company, §§ 42 to 48.

Power to West Midland Railway Company to subscribe One Fourth of the Capital, and to apply their Funds for that Purpose, § 49.
And to vote at General Meetings, § 50.
Power to West Midland Railway Company to raise Money by the Creation of Shares, with a *5l.* per Cent. Preference Dividend, §§ 51, 52.

Cap. ccxiv.

"The Edinburgh, Perth, and Dundee Railway Act, 1861."

Proposes to enable the Edinburgh, Perth, and Dundee Railway Company to make Byelaws for their Piers, Basins, and Works at Ferry-port-on-Craig and Broughty, and the Ferry between Ferry-port-on-Craig and Broughty; to vest the Burntisland and Granton Ferry in the Company; to construct Siding Accommodations and Branch Railway, as also Works for Supply of Water; to amalgamate the Kinross-shire Railway with their Undertaking; and to alter the Mode of Election of Directors of the Company.
Incorporation of General Acts, § 3.
Piers, Docks, &c. not to be used unless with Consent, § 4.
Power to make Byelaws for regulating Piers, &c. and Ferry at and between Ferry-port-on-Craig and Broughty, §§ 5 to 12.
Saving Rights of Proprietor of Estate of Scotscraig and of the Trustees of Dundee Harbour, §§ 13, 14.
Right of Ferry between Burntisland and Granton vested in Company in perpetuity, § 15.
Saving Rights of Magistrates and Town Council of Burntisland, § 16.
Agreement between the Duke of Buccleuch and the Company to continue in force, § 17.
Saving the Rights of the Duke of Buccleuch, § 18.
Power to make Sidings at Perth according to Plan, §§ 19 to 23.
Regulating Width and Height of certain Bridges, § 24.
Tolls to be taken on the Railway, § 25.
Power to make Waterworks according to deposited Plans, §§ 26, 27.
Water to be taken from Chisselbridge Burn only during certain Hours, § 28.
Certain Provisions of "The Waterworks Clauses Act, 1847," incorporated with this Act, § 29.
Company may supply Water to Vessels at Ferry-port-on-Craig, § 30.
Two Years for purchasing Lands, § 31.
Four Years for Completion of Works, § 32.
Company may re-borrow Monies paid off by them, § 33.
Provisions of "The Edinburgh, Perth, and Dundee Railway Company (Arrangements) Act, 1853," with regard to Directors and Auditors repealed, and Mode of Election of Directors and Auditors, §§ 34 to 41.

Amalgamation of Company with the Kinross-shire Railway Company, §§ 42 to 58.
Shares of the Kinross-shire Railway Company to be preferential on Revenues of Kinross-shire Railway; Payment of Dividends, &c., §§ 59 to 68.
Company may borrow Sum authorized to be borrowed by Kinross-shire Railway Company, §§ 69 to 73.
Saving Rights of Holders of Feu Duties, § 74.
Power to Company to create 40,000*l.* Preference Stock or Shares at not exceeding 7*l.* per Cent., §§ 75 to 78.
Tolls, §§ 79, 80.
Saving Rights of the Crown, § 84.

Cap. ccxv.

"The Cornwall Railway Act, 1861."

Recites that in 1846 the Company were incorporated, with Power to make the Railways following; (that is to say,)

1. A Railway commencing by a Junction with the South Devon Railway in the Parish of Saint Andrew, Plymouth, and County of Devon, and terminating at or near the Town of Falmouth in the Parish of Budock and County of Cornwall:
2. A Railway to connect the first-mentioned Railway with the Quays or Wharfs at Truro, diverging from such Railway in the Parish of Kenwyn and County of Cornwall, and terminating at or near Newham in the same Parish:
3. A Railway to connect the said first-mentioned intended Railway with the Quays or Wharfs at Penryn, diverging from such Railway in the Parish of Budock in the County of Cornwall, and terminating at or near the Exchequer Quay at Penryn:
4. A Railway to connect the said first-mentioned Railway with the Liskeard and Caradon Railway, diverging out of the first-mentioned Railway in the Parish of Liskeard, and terminating by a Junction with the Liskeard and Caradon Railway near Looe Mills in the same Parish;

that they were authorized by that Act to raise by Shares the Sum of 1,600,000*l.*, and by borrowing the Sum of 533,333*l.*; that by the Act of 1846 the Great Western Railway Company, the Bristol and Exeter Railway Company, and the South Devon Railway Company, were empowered to subscribe towards and become Shareholders in the Capital of the Company to the respective Amounts therein mentioned, and to raise the Amount of such Subscription by Guarantee thereof, or by the Creation of Capital in their own Undertakings, and to appoint Directors of the Company, and also to make Agreements for the leasing by the Associated Companies of the Railways of the Company; that by "The Cornwall Railway Act Amendment and Deviation, 1847," the Company were empowered

to abandon a certain Portion of the Cornwall Railway as authorized by the Act of 1846, and to construct a new and altered Line of Railway in lieu thereof, and to purchase certain Portions therein defined of the South Devon Railway, which, upon the Completion of the Purchase, were to become Part of the Undertaking of the Company, and such Purchase has been completed; and also to raise by Shares a further Sum of 100,000*l.*, and by borrowing a further Sum of 33,333*l.*; that by virtue of "The Abandonment of Railways Act, 1850," and of a Warrant of the Board of Trade, dated the 26th Day of March 1852, certain Portions of the Railways by the Act of 1846 authorized to be made were ordered to be abandoned, and the Portions so abandoned were the Railways authorized by the Act of 1846, which are herein-before respectively numbered 2, 3, and 4, and so much and such Part of the Line of Railway by the same Act authorized to be made to connect the said Railway from Plymouth to Falmouth with the Town of Padstow, as was situate between the proposed Terminus of such Line at or near to the Town of Padstow, and a Point on such Line marked Two Miles One Furlong from the Junction thereof with the Line of the said Railway from Plymouth to Falmouth on the Plans of the said Railway referred to in the Act of 1846; and the Capital of the Company under the Act of 1846 was reduced, viz., the Capital in Shares to 1,125,060*l.*, divided into 56,253 Shares of 20*l.* each, and the borrowing Powers to the Sum of 375,020*l.*; that by "The Cornwall Railway (Share Arrangements) Act, 1854," certain Arrangements were authorized as to the Division of Shares into Two Classes respectively, designated as A. Shares and B. Shares, which Arrangement was carried partly into effect, and by the said Arrangement the half-yearly Dividend payable in respect of an original 20*l.* Share was to be apportioned, in the Case of such Share being divided into Two, in the following Manner; (that is to say,) in Payment to the Holder of the B. Share of a Dividend after the Rate of 6*l.* per Centum per Annum, and the Surplus or Remainder to the Holder of the A. Share, who was also to be entitled to all such other Privileges or Advantages as may at any Time be apportioned and applied to such Two Shares collectively; and Provision was also made as to the Cancelment of forfeited Shares, and as to the Creation and Issue in lieu thereof of new Shares to be respectively distinguished as "New A. Shares" and "New B. Shares," but no such Shares have been created; that by "The Cornwall Railway Act, 1855," the Time for the Completion of the Cornwall Railway (being the Railways authorized by the Act of 1846 and the Act of 1847 respectively, and not abandoned under the said Warrant of the Board of Trade), was further extended, and further Provision was made as to the Cancelment of Shares, and the Company were empowered to issue so many Shares of 20*l.* each as in the aggregate would represent 300,000*l.*, with a preferential Dividend, either in perpetuity or for a limited Period, and

either with or without a Right of Redemption, and with such other Incidents and Qualities (if any), and under such Designation as the Company might determine, such preferential Dividend not to exceed the Rate of Six Pounds per Centum per Annum; and further Provision was made in respect to the leasing of the Railway of the Company to the Associated Companies; that by "The Cornwall Railway Act, 1857," the Period for the Completion of so much of the Cornwall Railway as is situate between Plymouth and Truro was further extended; and Arrangements between the Company and the Associated Companies were provided with reference to the Completion of the Cornwall Railway between Plymouth and Truro, and the Company was required, immediately after the passing thereof, to create and issue, under the Powers of the Act of 1855, Shares to represent 300,000*l.*, and empowered by Agreement between themselves and the Associated Companies to create and issue Shares in lieu of cancelled Shares to the further aggregate Amount of 100,000*l.*, and the Associated Companies were required to guarantee Interest at a Rate not exceeding 5*l.* per Centum per Annum on such of the Shares created and issued by the Company for raising the respective Sums of 300,000*l.* and 100,000*l.*, as should from Time to Time be created by the Company, and the Company have accordingly created and issued 20,000 Shares of 20*l.* each, representing an aggregate Capital of 400,000*l.*, and bearing a guaranteed or preferential Interest or Dividend at the Rate of 5*l.* per Centum per Annum, and redeemable by the Company, and the Associated Companies have guaranteed Interest or Dividend on the Shares so created and issued at the Rate of 5*l.* per Centum per Annum; that under the Act of 1857 the Company have also created 7,480 Shares of 20*l.* each, representing an aggregate Amount of 149,600*l.*, and bearing a preferential Dividend at the Rate of 6*l.* per Centum per Annum, and redeemable by the Company, but no Persons are inserted in the Register of Shareholders of the Company as the Holders thereof, but the said Shares are charged with the Repayment of Monies procured or provided by the Associated Companies by way of Advance on Loan to the Company, for the Purpose of enabling them to carry into effect the Objects of the Act of 1857, and the Associated Companies are willing that the Payment of the Dividend on the said Shares should be postponed until after Payment of the Dividend payable on the new Shares to be created by virtue of this Act, and that Provision be made for the Redemption of the said Shares; that by "The Cornwall Railway Act, 1858," the Time limited for the Completion of the Cornwall Railway between Truro and Falmouth was further extended, and Power was given to the Company to create and issue new Shares in lieu of cancelled Shares, with a preferential Dividend not exceeding 6*l.* per Centum per Annum, payable out of the Earnings of the Line between Truro and Falmouth, in preference to any Dividend on any other Shares in the Company, but no

such Shares have been created; that the Company have raised by borrowing the whole of the said Sum of 375,020*l.*, and the Associated Companies have guaranteed the Interest from Time to Time payable in respect thereof, and are Holders of or have guaranteed Shares in the ordinary Capital of the Company to the following Extent (that is to say), the Great Western Railway Company 3,000 Shares representing 60,000*l.*, the Bristol and Exeter Railway Company 4,500 Shares representing 90,000*l.*, and the South Devon Railway Company 2,625 Shares representing 52,500*l.*; that under the Provisions of the said Acts divers Agreements were entered into between the Company and the Associated Companies in relation to the Construction and leasing of the Cornwall Railway between Plymouth and Truro, and other Matters, and it has been agreed that they shall, except so far as the same or the Provisions thereof are otherwise provided for by, or are inconsistent with the Provisions of this Act, be confirmed; that the Capital of the Company in Shares and by borrowing now stands as follows; (that is to say,)

Ordinary Capital, consisting of—	£
14,991 Ordinary Shares of 20*l.* each - Upon which there remains 3,836*l.* 0*s.* 10*d.* to be paid up.	299,820
13,782 A. Shares of 10*l.* each - - - Upon which there remains 20*l.* to be paid up.	137,820
13,782 B. Shares of 10*l.* each - - - Upon which there remains 1,384*l.* to be paid up.	137,820
Preferential Capital:	
20,000 5*l.* per Centum Preference Shares of 20*l.* each, guaranteed by the Associated Companies - - Fully paid up.	400,000
7,480 6*l.* per Centum Preference Shares of 20*l.* each - - - - -	149,600
Total existing Share Capital -	£1,125,060

Borrowed Capital:	
Borrowed under the Act of 1846, and Interest guaranteed by the Associated Companies - - - - - - -	£ 375,020

that the Powers of the Company for raising Capital in addition to their actual existing Capital are as follows:

	£
5,000 Shares of 20*l.* each, under the Act of 1847 - - - - - -	100,000
Borrowing Powers under the Act of 1847	33,333
Total unexercised Power - -	£133,333

that it is expedient that the Company should not raise any further Monies under the Authority of the recited Acts in addition to the 14,991 ordinary Shares, the 13,782 A. Shares, the 13,782 B. Shares, the 20,000 5*l.* per Centum Preference Shares, the 7,480 6*l.* per Centum Preference Shares, and the Mortgage Debt of 375,020*l.*, but in lieu thereof, that the Company should be authorized to raise further Monies under the Authority of this Act by Shares and borrowing, and that the Associated Companies should be empowered to guarantee Interest or Dividend thereon, and to make Advances to the Company, and take and hold additional Shares in the Capital of the Company; and that the Company be empowered to make the Railway herein-after described in substitution for a Portion of the Railway authorized by the Act of 1846; that further Time beyond the Period limited by the Act of 1858 should be granted to the Company for the Construction of so much of the Cornwall Railway between Truro and Falmouth as will not be abandoned under the Provisions of this Act, and that the Company and the Falmouth Docks Company be empowered to enter into Agreements with reference to the mutual User of Portions of their respective Undertakings; that it is also expedient that the Company and the West Cornwall Railway Company be empowered to make Agreements with respect to the User of the Company's Station at Truro, and Portions of the Company's Railways near thereto.

Recited Acts repealed.

2. Subject to the Provisions of this Act the recited Acts are hereby repealed.

Certain Sections of repealed Acts, as in Schedule, to remain in force.

3. Notwithstanding the Repeal of the recited Acts the several Sections and Provisions of those Acts which are set forth in the Schedule to this Act annexed shall, so far as the same are at the passing of this Act in force, remain in full force; and this Act and the several Powers and Provisions thereof shall in all respects be subject and without Prejudice to those scheduled Sections and Provisions respectively; and except only as by this Act is expressly provided, this Act, or anything therein contained, shall not alter or interpret the Meaning of or otherwise affect those scheduled Sections and Provisions or any of them.

Confirming Agreements, § 4.
Company to remain incorporated, § 5.
Incorporation of General Acts, § 6.
Saving of Rights and Liabilities, §§ 7, 10 to 18, 20.

Capital.

19. Upon and after the passing of this Act the Capital of the Company shall be their present created Capital of 1,125,060*l.*, and shall consist of the following Shares; videlicet,

	£
Ordinary Capital, consisting of—	
14,991 ordinary Shares of 20*l.* each, representing the Sum of - - -	299,820
13,782 Class A. Shares of 10*l.* each, representing the Sum of - - -	137,820
13,782 Class B. Shares of 10*l.* each, representing the Sum of - - -	137,820

Pre-

Preferential Capital :	£
20,000 5*l.* per Centum Preference Shares of 20*l.* each, guaranteed by the Associated Companies, representing the Sum of -	400,000
7,480 6*l.* per Centum Preference Shares, representing the Sum of - -	149,600
	£1,125,060

But such Capital may from Time to Time be augmented by the Creation and Issue of new Shares as by this Act provided.

New Capital.

21. The Company shall, immediately after the passing of this Act, create 12,500 Shares of 20*l.* each, representing Capital of the aggregate nominal Amount of 250,000*l.*, and under such Name or Denomination as the Company think fit, and with a Right to a preferential Interest or Dividend payable either in perpetuity or for a limited Period or Periods attached thereto, at the Rate (unless otherwise agreed between the Company and the Associated Companies) of 5*l.* per Centum per Annum, and either with or without a Right of Redemption, and with such other Incidents or Qualities (if any) as may then be determined, and shall use their best Endeavours to issue the same as being Shares guaranteed by the Associated Companies; and the Associated Companies shall and they are hereby required to guarantee the Payment of such preferential Interest or Dividend on the Shares so to be created, not exceeding 5*l.* per Centum per Annum; provided that (except as herein-after provided) any Arrears of such preferential Interest or Dividend shall not in any Case be payable or enforceable so as to affect the Payment of Interest on the borrowed Capital for the Time being of the Company, or the Interest or Dividend on their existing Preference Shares.

Incidents and Privileges of new Shares, § 22.

Calls, § 23.

Power to borrow in the whole 458,000*l.* §§ 24 to 27.

Provision for Lease of Cornwall Railway to Associated Companies.

28. The Company shall grant, and the Associated Companies shall accept, under the Powers in that Behalf of the recited Acts, a Lease of the Undertaking, Railway, Works, Lands, Tolls, and other Property and Powers of the Company, for such Term as may be agreed on, and the Lease shall be made and executed by all the Companies Parties thereto, in Four Parts, and the Company and each of the Associated Companies shall have the Custody of One Part thereof, and the same shall be made and executed within Six Months after the passing of this Act; provided, that if the Company and the Associated Companies shall fail to agree as to any of the Terms or Conditions of the Lease, or as to the Frame or Language thereof, the Lease shall be settled on behalf of all Parties by a single Arbitrator to be agreed on between them, or failing their Agreement, to be on their or any of their Application appointed by the Board of Trade.

Application of Revenue.

29. The net Revenues of the Company, after Payment of Interest or Dividend on their Debenture Debt or Debenture Stock

Stock from Time to Time remaining applicable for Payment of Dividend on their Capital, exclusive of Debenture Stock, shall be applied as follows :

First, in Payment of the preferential Dividend of 5*l.* per Centum per Annum on the 20,000 5*l.* per Centum preferential Shares, or so many of the same as from Time to Time are not redeemed ; and of the preferential Dividend, at a less Rate than 5*l.* per Centum per Annum on Shares or Stock, or both, from Time to Time created and issued under this Act for the Redemption of any of those 20,000 Shares :

Secondly, in Payment of the preferential Dividend not exceeding 5*l.* per Centum per Annum on so many of the 12,500 new Shares created under this Act as from Time to Time are issued and not redeemed, and of the preferential Dividend on Shares or Stock, or both, from Time to Time created and issued under this Act for the Redemption of any of those 12,500 Shares :

Thirdly, in Payment of the preferential Dividend of 6*l.* per Centum per Annum on the 7,480 6*l.* per Centum preferential Shares, or so many of the same as from Time to Time are not redeemed, and of the preferential Dividend at a less Rate than 6*l.* per Centum per Annum on Shares or Stock, or both, from Time to Time created and issued under this Act for the Redemption of any of those 7,480 Shares :

Fourthly, in Repayment to the Associated Companies of all Monies paid and Losses incurred by them respectively in respect of Loans and Guarantees and Liabilities to and for the Cornwall Company, and the working Expenses of the Cornwall Railway, and otherwise :

Fifthly, in Payment of Dividend on the ordinary Capital.

Calculation of Dividends on A. and B. Shares.

30. Provided always, That in apportioning the Interest or the Dividends which the Company may declare to be payable in each Half Year upon the ordinary Capital of the Company, the same Amount of Interest or Dividend shall be apportioned to any One Class A. Share, and any One Class B. Share, taken together, as shall be apportioned to One ordinary Share of 20*l.* ; and any other Privileges or Advantages to which the Holders of ordinary Shares of 20*l.* may at any Time be rateably entitled shall be apportioned in respect of such Two Shares collectively in the like Manner ; and any Preference or Guarantee upon the Class B. Shares shall only be a Preference or Guarantee as between the Class A. Shares and the Class B. Shares, and shall not interfere with or diminish the Preference or Priority of Payment to which any Holders of preferential Shares of the Company may be entitled.

Apportionment of Dividends as between A. and B. Shares.

31. As between the Class A. Share and the Class B. Share, into which any ordinary 20*l.* Share may have been divided, the whole Amount of Interest or declared Dividend accruing in any Half Year as aforesaid to the Two Shares collectively, shall be applied and go in the first place in or towards Payment of Interest or Dividend for such Half Year at the Rate

of 6*l.* per Centum per Annum on the Amount from Time to Time paid up on such Class B. Share, so far as the same will extend, and all the Surplus or Remainder, if any, after the Payment of Interest or Dividend for such Half Year, at the said Rate, upon the said Class B. Share, shall be payable and paid as Interest or Dividend upon the said Class A. Share, and the Holder of such Class A. Share shall further be entitled to all such other Privileges or Advantages as may at any Time be apportioned and applied to such Two Shares collectively; and if in the First Half Year of the current Year the whole Amount of Interest or declared Dividend shall not be sufficient to pay Interest or Dividend at the Rate aforesaid upon the Class B. Share, the Holder of the Class B. Share shall be entitled to have such Deficiency made good in the subsequent Half Year, so far as the Interest or declared Dividend shall extend, but no further or otherwise: Provided always, that for the Purpose of such Application and Apportionment, the current Year shall be taken to commence on the 1st Day of January and to terminate on the 31st Day of December, and that the Holder of any such Class B. Share shall not be entitled to have any Deficiency arising on the whole Year made good in any subsequent Year.

Suspension of Dividends until Railways completed, § 32.

Power to create new Shares or Stock for Redemption of preferential Shares.

33. The Company from Time to Time may create and issue new Shares of the nominal Value of 20*l.* each, or Stock for the following Purposes and to the following Amounts; (that is to say,)

	£
For the Redemption of the 20,000 5*l.* per Centum preferential Shares, any new Shares or Stock not exceeding in the whole in nominal Amount	400,000
For the Redemption of the 12,500 new Shares created under this Act, any new Shares or Stock not exceeding in the whole in nominal Amount	250,000
For the Redemption of the 7,480 6*l.* per Centum preferential Shares, any new Shares or Stock not exceeding in the whole in nominal Amount	149,600
	£799,600

Limit of Capital.

34. Provided always, That the total nominal Amount of the Company's Capital in Shares or Stock (exclusive of Capital created by the Conversion of Loan into Capital) shall not exceed 1,375,060*l.*, save only that the Company may create and issue new Shares or Stock for the Redemption of preferential Shares before the actual Redemption of the preferential Shares, and the Money raised by the new Shares or Stock so created and issued shall be applied by the Company exclusively in the Redemption of preferential Shares: Provided also, that whenever any preferential Share is redeemed, it shall thereupon be absolutely extinguished, and the Certificate thereof shall

shall be cancelled by the Company, and an Entry thereof shall be made by them in their Registers.

Power to issue Shares for redeeming preferential Shares.

35. The Company from Time to Time, with the Consent of Three Fourths of the Votes of the Shareholders present, personally or by Proxy, at any Meeting convened with special Notice of the Purpose, may issue all or any of the new Shares or Stock created for the Redemption of preferential Shares, with a Right to a preferential Dividend not exceeding *5l.* per Centum per Annum, payable either in perpetuity or for a limited Period or limited Periods, and either with or without a Right of Redemption, and with such other Incidents or Qualities (if any), and under such Name or Denomination as the Company determine, and the preferential Dividend shall be payable in the Order in that Behalf expressed in this Act, but any Arrears thereof shall not in any Case be payable or enforceable so as to affect the Payment of Interest on the Debenture Debt or Debenture Stock of the Company, or the Dividend on any preferential Shares having Priority over the same.

Amounts of new Shares, Calls, &c., § 36.
As to Payment of Preference Dividends out of yearly Earnings, § 37.
Associated Companies may guarantee Dividends on further Capital, §§ 38, 39.
Saving Rights of Preference Shareholders in Associated Companies, § 40.
Associated Companies may accept Shares in satisfaction of Monies advanced by them, § 41.
Meetings; Directors, §§ 45 to 56.
Undertaking of Company defined, § 57.
Company to execute so much of the Line between Truro and Falmouth as is not abandoned under this Act, § 58.
Power to take Lands, § 59.
Power to make Railway authorized by Act, § 60.
New Works to be executed under Supervision of Joint Committee, § 61.
Admiralty and Board of Trade Provisions; Level Crossing, §§ 62 to 69.
Three Years for Purchase of Lands, § 71.
Works to be completed by 3d August 1864, § 72.
Compensation to be made where Contracts have been entered into or Notice given in respect of Portion of Railway between Truro and Falmouth, § 74.
Tolls, §§ 75 to 83.
Agreements between Company and Falmouth Docks Company, § 84.
Agreements between the Company and the West Cornwall Railway Company, § 85.
Saving Rights of Falmouth Docks Company, § 86.
Of the Duchy of Cornwall, and of Her Majesty's Principal Secretary of State for the War Department, §§ 87, 88.
Schedule. Clauses of repealed Acts continued, *i.e.*, Act of 1846, §§ 33 to 53 inclusive; and Act of 1847, §§ 11, 12, 22.

Cap. ccxvi.

"The Victoria Docks Gas Extension Act, 1861."

Recites that in 1857 the Victoria Docks Gas Company were incorporated and authorized to raise a Share Capital of 100,000*l.*, and to borrow on Mortgage not exceeding 25,000*l.*; that the Company have put the recited Act into execution, and are manufacturing and supplying Gas within the Limits defined by that Act in that Behalf; proposes to extend their Works.

Recited Act to extend to this Act, §§ 2, 3.
Limits of Act, § 4.
Application of Monies, § 5.
Power to purchase Lands by Agreement, § 6.
Powers of Company, § 7.
Limits for Erection of Works, § 8.
Company may contract for lighting Streets, &c., § 9.
Power to lay Pipes against Buildings, § 10.
Examination of Meters, § 11.
Procedure and Penalties, §§ 12 to 20.

Cap. ccxvii.

"Llanelly Railway (New Lines) Act, 1861."

Recites that in 1853 divers Acts relating to the Llanelly Railway and Dock Company were repealed, and some of the Powers and Provisions thereof were amended, re-enacted, or continued, and the Company were authorized to maintain their then existing Railways and Dock, and to make and maintain Additions thereto; that in 1854 the Vale of Towy Railway Company were authorized to make a Railway, commencing at the Town of Llandovery and terminating at Llandilofawr by a Junction with the Company's Railway there; that in 1858 the Company were authorized to take a Lease for 10 Years, and in 1860 to take a Lease in perpetuity of the Vale of Towy Railway; that by the Burry Navigation and Llanelly Harbour Act, 1858, the Commissioners for executing that Act were authorized to purchase Docks and other Works of the Company, but no such Purchase has been made; that in 1860 the Company and the South Wales Railway Company were authorized to enter into Contracts with respect to a Branch Railway uniting the Company's Branch Railway, known as the Saint David's Railway with the Llanelly Station of the South Wales Railway, and with respect to the vesting of the same Branch Railway or Part thereof in the Company, and the Company and the Llanelly Local Board of Health were authorized to enter into Agreements for the selling or transferring to the Company of a Branch Railway made by the Lessees of the Local Board and extending to the Saint David's Railway; and the Company and the Burry Commissioners were authorized to enter into Agreements for a Licence to the Burry Commissioners for the exclusive User by them of Parts of the Wharfs of the Company; that in

1854 the Carmarthen and Cardigan Railway Company were authorized to make a Railway from Carmarthen to Newcastle Emlyn; and in 1855 and 1856 to make and maintain Deviations of their authorized Line of Railway; that the making of the following Lines of Railway, that is to say, a Railway from the Company's Railway at Llandilo Talybont to Swansea, with a Branch therefrom, and a Railway from the Company's Railway at Llandilofawr to the Carmarthen and Cardigan Railway, would afford additional Means of Railway Communication between divers Parts of South Wales and other Places; and it is expedient that the Company should make and maintain the same, and acquire for the Purposes thereof Lands occupied under the Local and Personal Act, 51 Geo. 3. c. 106.; that by the Company's Act of 1853 the total Capital of the Company was declared to be 264,000*l.*, and was divided into 2,000 ordinary Shares of 100*l.* each, and 560 substituted Shares of 25*l.* each, and 2,000 new Shares of 25*l.* each, which substituted Shares and new Shares the Company were authorized to issue, either of One Class and with like Privileges or of several Classes and with different Privileges, and respectively, with any preferential Dividend not exceeding 6*l.* per Centum per Annum, and the Company were authorized to borrow on Mortgage or Bond any Sums not exceeding in the whole 66,000*l.*; that before the 31st Day of December 1859 the Company had issued and called up the whole of the Shares of their Capital, and had borrowed the whole Amount which they were authorized to borrow, and had converted the whole of their ordinary Shares into ordinary Stock of the Company, and had attached to the 2,000 new Shares a Preference of Dividend over the ordinary Stock of the Company to the Extent of 5*l.* per Centum per Annum, together with the Right to participate, pari passu, with the ordinary Stock in any Dividend beyond 5*l.* per Centum per Annum, and had attached to the 560 substituted Shares the Right to Interest at the Rate of 6*l.* per Centum per Annum up to the 30th Day of June 1860, and after that Day to Interest at the same Rate as the Dividend that should be payable on the 2,000 new Shares; that in 1860 the Company were authorized to raise by new Shares an additional Capital of 100,000*l.*, and their Capital was declared to be the Sum of 364,000*l.*, consisting of the aggregate Capital authorized by the Company's preceding Acts, and amounting to 264,000*l.*, and the 100,000*l.* additional Capital created by the reciting Act, and the Company were authorized to issue the new Shares under the reciting Act, either of One Class and with like Privileges, or of several Classes and with different Privileges, and with any preferential Dividend, but not beyond the Rate of 6*l.* per Centum per Annum, and the Company were authorized to borrow on Mortgage any further Sums not exceeding in the whole 55,000*l.*, and to create Debenture Stock to be substituted for Debenture Debt; that they issued the Shares of the additional Capital of 100,000*l.*, au-

thorized by their Act of 1860, as preferential Shares to bear 6*l.* per Centum per Annum preferential Dividend; that their Capital now consists of the following Particulars; that is to say,

	£
1st. Preferential Capital bearing Dividend at the Rate of 5*l.* per Centum per Annum, and entitled to participate, pari passu, with the ordinary Stock in any Dividend beyond 5*l.* per Centum per Annum -	64,000
2d. Preferential Capital bearing 6*l.* per Centum per Annum Dividend - -	100,000
3d. Ordinary Capital - - -	200,000
	£364,000

proposes that they be authorized to raise further Monies.

Incorporation of Lands and Railways Clauses Acts and of Part of Companies Clauses Acts, §§ 2 to 4.

Power to take and use Lands for Works authorized by Act, § 5.

Three Years for compulsory Purchase, § 6.

Power for Company to make Works authorized by Act, §§ 8, 9.

Admiralty Provisions, §§ 10 to 16.

Five Years for Completion of Works, §§ 17, 18.

Prescribing Mode of treating the Road No. 11 in Llanegwad, § 19.

Power to alter Engineering Works, § 20.

Junctions with other Railways, §§ 21 to 23.

Protection of South Wales Company, §§ 24 to 26.

The Company not to take Property or interfere with Works of the Carmarthen and Cardigan Railway Company, §§ 27, 28.

As to Bridge over Oystermouth Railway, § 29.

Company to observe certain Conditions in respect to Railway No. 1, § 30.

Suspension of Powers of Act as regards Part of Carmarthen Line, § 31.

Tolls on Railways, §§ 32 to 34.

Company not to take Lands of the Swansea Harbour Trustees except by Agreement, § 35.

Company to extend Railway to Wharf belonging to Harbour Trustees, § 36.

Company to carry Ballast, Spoil, &c. at One Halfpenny per Ton per Mile, § 37.

Company's Undertaking declared.

38. The whole Undertaking of the Company shall comprise the Lands and Works from Time to Time vested in the Company under the Authority of this Act, and the several other Acts from Time to Time in force with respect to the Company respectively, and the several Railways, Docks, Wharfs, Buildings, Works, and Conveniences which by or under those Acts and this Act respectively are from Time to Time vested in the

the Company, and all other the Property from Time to Time of the Company.

Company's Undertaking to be divided into Three Undertakings, as hereinnamed.

39. Provided, That for the several Purposes in that Behalf of this Act, the whole Undertaking of the Company is by this Act divided into and shall consist of the following Three separate Undertakings; (that is to say,)

1st. The Company's original Undertaking, comprising the Lands and Works from Time to Time vested in the Company under the Authority of the Company's Acts, passed before the passing of this Act, and the several Railways, Docks, Wharfs, Buildings, Works, and Conveniences which by or under those Acts respectively are from Time to Time vested in the Company, and all other the Property from Time to Time of the Company under those Acts respectively:

2dly. The Company's Swansea Lines Undertaking, comprising the Swansea Lines, and the Lands, Works, and Property from Time to Time vested in the Company by or under this Act for the Purposes of the Swansea Lines:

3dly. The Company's Carmarthen Line Undertaking, comprising the Carmarthen Line, and the Lands, Works, and Property from Time to Time vested in the Company by or under this Act for the Purposes of the Carmarthen Line.

Increase of Capital.

40. The Capital of the Company under their Acts is by this Act increased by the Addition thereto of the aggregate Sum of 270,000*l.*

Capital under this Act.

41. The total Capital of the Company under this Act is the Sum of 634,000*l.*, consisting of the Company's present Capital authorized by the Company's Acts, and amounting to 364,000*l.*, and the 270,000*l.* additional Capital created by this Act.

Division of Capital into Three separate Parts, as hereinnamed.

42. Provided, That for the several Purposes of this Act with respect to the Company's Three separate Undertakings, the total Capital of the Company is by this Act divided into and shall consist of the following Three separate Capitals; (that is to say,)

First, with respect to the original Undertaking, the Company's present Capital of 364,000*l.*;

Secondly, with respect to the Swansea Lines Undertaking, the Swansea Lines Capital of 155,000*l.*, being Part of the additional Capital created by this Act;

Thirdly, with respect to the Company's Carmarthen Line Undertaking, the Carmarthen Line Capital of 115,000*l.*, being other Part of the additional Capital created by this Act.

Separate Capital to be only ordinary Capital.

43. Provided, with respect to each of the Swansea Lines Capital, and the Carmarthen Line Capital, that the respective separate Capital shall only be ordinary Capital.

Provisions of Act applicable to separate Capitals.

44. The several Powers and Provisions of this Act with respect to the additional Capital by this Act created, and the Shares thereof, and the Holders of the Shares, shall, except as is by this Act otherwise provided, have a separate and distinct

Operation with respect to each of the separate Capitals, and the Shares thereof, and the Holders of those Shares.

Prescribed Sanction of Shareholders.

45. The Expression, "the prescribed Sanction of Shareholders," in this Act means the Sanction of at least Three Fifths of the Votes of the Shareholders entitled to vote in the Matter present, in Person or by Proxy, at a General Meeting of the Company specially convened for the respective Purpose for which their Sanction is prescribed.

Power for Company to raise additional Capital by new Shares.

46. The Company may raise the additional Capital by this Act created by the Issue of new Shares under this Act, and as the Case requires the new Shares shall be either Shares of the Swansea Lines Capital or Shares of the Carmarthen Line Capital.

Company may cancel unissued and forfeited Shares, and issue new Shares in lieu thereof, §§ 47 to 59.

Power to borrow on Mortgage.

60. In addition to the Sum of 121,000*l.* which the Company are already authorized to borrow, they from Time to Time may borrow on Mortgage any further Sums not exceeding the following; (that is to say,)

	£
With respect to the Swansea Lines Undertaking - - - - -	51,600
With respect to the Carmarthen Line Undertaking - - - - -	38,300
Total - - -	£ 89,900

Restrictions on borrowing.

61. Provided, That the Company shall not borrow in respect of the Swansea Lines Undertaking any Part of the Sum of 51,600*l.*, until the whole of the Swansea Lines Capital of 155,000*l.* is subscribed for or taken, and One Half thereof is actually paid up; and shall not borrow in respect of the Carmarthen Line Undertaking any Part of that Sum of 38,300*l.* until the whole of the Carmarthen Line Capital of 115,000*l.* is subscribed for or taken, and One Half thereof is actually paid up: Provided also, that no Money shall be so borrowed by the Company in respect of either Undertaking until the Company shall prove to the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that all the additional Capital by this Act authorized for the Purposes of that Undertaking is subscribed for or taken bonâ fide, and is held by the Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same, of which Proof having been given, the Certificate of such Justice under that Section shall be sufficient Evidence.

Restrictions as to Mortgages.

62. The several Mortgages which the Company issue under this Act for securing Monies borrowed with respect to those Two Undertakings respectively shall comprise only (as the Case requires) the Swansea Lines Undertaking, or the Carmarthen Line Undertaking, and the Tolls, Fares, Rates, and Charges to be demanded and taken by the Company in respect of the respective Undertaking, and if the Company so think fit, the Monies to be raised by future Calls on the Shares of

(as

(as the Case requires) the Swansea Lines Capital or the Carmarthen Line Capital.

Priority of existing Mortgages, § 63.

64. Provided, That no present or future Mortgagee of the Company shall have any Right or Remedy against the Company, or their Undertaking, Property, or Effects, or any Part thereof, except only with respect to such Part of the general Undertaking, Property, and Effects of the Company as is included in his respective Mortgage at the Time of the granting thereof; and the Liabilities of the Company to their several Mortgagees are by this Act limited accordingly. Restrictions as to Rights of Mortgagees.

Receiver of Mortgagees, § 65.

Directors for separate Shareholders, § 66.

67. The Holders of the Shares of any separate Capital shall not vote on any Matter touching any separate Undertaking in respect of which they are not Shareholders, or the separate Capital thereof, or the separate Mortgage Debt thereof, or the Receipts, Credits, Payments, or Liabilities of the Company with respect to that Undertaking, or in the Election of Directors in respect of that Undertaking. Restriction on voting by Holders of separate Capital.

68. The Principal and Interest secured by Mortgages granted by the Company in respect of any separate Undertaking, and the other Debts, Liabilities, and Engagements of the Company in respect of that separate Undertaking, and Dividends on Shares of the separate Capital raised in respect of that separate Undertaking, shall respectively be paid, satisfied, or discharged only out of the Assets of the Company in respect of that separate Undertaking; save only that the Company may apportion fairly between the several separate Undertakings, or any of them, the Management Expenses of the Company, and any other Expenses common to Two or more of the separate Undertakings. Restrictions on separate Mortgages and Holders of separate Capital.

69. So long as there are separate Undertakings the Company shall keep separate and distinct Accounts both of Capital and of Revenue for every separate Undertaking. Separate Accounts to be kept.

70. If and whenever the Profits applicable for Payment of Dividend on the Company's present Capital, or, as the Case may be, on the Company's present Capital increased by the Amalgamation therewith of any of the other separate Capitals, are sufficient for the Payment during any Three consecutive Years of Dividend, at the Rate of at least 5*l.* per Centum per Annum on the Amount paid up on the ordinary Shares thereof, and the Profits applicable for Payment of Dividend on any one or both of the Swansea Lines Capital and the Carmarthen Line Capital are sufficient for the Payment during the same Three consecutive Years of Dividend at the Rate of at least 5*l.* per Centum per Annum on the Amount paid up on the Shares thereof, then and in every such Case at the Expiration of the respective Third Year (the Year in every Case ending with the 31st Day of December) the several separate Undertakings in respect whereof the Profits are so sufficient, and the separate Capitals and Mortgage Debts of the same Undertakings respectively, shall be by this Act amalgamated into Amalgamation of separate Undertakings.

into One Undertaking and One Capital and One Mortgage Debt.

Dividend, &c. on ordinary Shares of Capitals amalgamated.

71. On every such Amalgamation taking effect, the Holders of the ordinary Shares of the several Capitals so amalgamated shall be entitled to like Dividend, and like Rights of voting and Qualifications, and other Privileges proportioned to the Amount from Time to Time paid up on those Shares respectively.

Mortgages for Mortgage Debts amalgamated.

72. On every such Amalgamation of separate Mortgage Debts taking effect, the several Mortgages granted by the Company for securing the amalgamated Mortgage Debts shall (but subject and without Prejudice to any other Mortgages of the Company, and the Rights and Remedies of the several Holders thereof respectively,) be extended so as to comprise the Undertaking, Tolls, Fares, Rates, and Charges and Effects of the Company not comprised in the Mortgages granted by the Company in respect of any other separate Mortgage Debt.

Provision as to Directors on Amalgamation.

73. When the Swansea Lines Undertaking and the Carmarthen Line Undertaking respectively are so amalgamated, the Number of the Directors of the Company shall, on every such Amalgamation, be increased by One; and the Provisions of this Act with respect to the Election of a Director by the Holders of Shares of, as the Case may be, the Swansea Lines Capital or the Carmarthen Line Capital shall cease.

Incidents of additional Capital.

74. Except only as is by this Act otherwise provided, the additional Capital from Time to Time raised by the Company under this Act by new Shares shall be Part of the general Capital of the Company, and all such Rights of voting and Qualifications, and other Privileges, Liabilities, and Incidents shall attach to and be conferred by the additional Capital so raised, and Shares thereof as to and by the Company's present ordinary Capital and Shares of like Amount thereof.

Saving Rights of Duke of Beaufort, § 80.
Savings Rights of the Crown, § 81.

Cap. ccxviii.

"Monmouthshire Railway and Canal (Works) Act, 1861."

Recites Incorporation of the Company of Proprietors of the Monmouthshire Canal Navigation by an Act 32 Geo. 3. c. 102., and an Act 37 Geo. 3. c. 100., and an Act 42 Geo. 3. c. 115.; that by "The Newport and Pontypool Railway Act, 1845," the Company were authorized to make a Railway from Newport to Pontypool, with Branches therefrom; that by "The Newport and Pontypool Railway (Amendment) Act, 1848," the Name of the Company was changed to their present Name, "The Monmouthshire Railway and Canal Company;" that in 1852 and again in 1853 the Company were authorized to make additional Railways; that it is expedient that the Company be authorized to make the several Lines of Railway by this Act authorized; also to take on Lease the private Railway known as Messieurs Bailey's Nantyglo Railway, or some Part thereof, and to

purchase the private Railway known as the Cwmtillery Branch Railway, or some Part thereof; that at the Time of the passing of the Act of 1845 the Capital of the Company was 240,900*l.*, and their Mortgage Debt was 41,837*l.*, and by that Act they were authorized to raise the further Capital of 119,100*l.* by Shares, and to raise by Shares or by borrowing any Sums not exceeding (inclusive of their then Mortgage Debt) 120,000*l.*; that in 1848 the Company were authorized to raise a further Capital of 112,500*l.* by Shares, and to borrow a further Sum of 37,500*l.*; that in 1853 the Company were authorized to raise a further Capital of 150,000*l.* by Shares, and to borrow a further Sum not exceeding 50,000*l.*; that in 1855 the Company were authorized to raise a further Capital of 202,500*l.* by Shares, and to borrow a further Sum of 67,500*l.*; that the Capital of the Company (the whole of which is fully paid up) consists of the following Particulars, that is to say:—

	£
Preferential Capital, bearing 5*l.* per Centum per Annum preferential Dividend	315,000
Ordinary Capital	510,000
Total Capital	£825,000

proposes to raise further Monies for the Purposes of this Act and other the Purposes of their Undertaking.

Lands and Railways Clauses Acts and Part of Companies Clauses Act incorporated, §§ 2, 3.

Repeal of existing Provisions as to Half-yearly Meetings, § 5.

Times for holding Ordinary Meetings, § 6.

Repeal of Provisions of Act of 1853 as to Carriages with combined Wheels, § 7.

Power to take and use Lands for Works authorized by Act, § 8.

Restricting compulsory Powers over certain Properties, § 9.

Two Years for compulsory Purchase of Lands, § 10.

Power for Company to take Lease of Messrs. Bailey's Nantyglo Railway, § 12.

Power for Company to purchase Cwmtillery Branch Railway, § 13.

Power to make Works authorized by Act, §§ 15 to 17.

Power to alter Engineering Works, § 18.

Restriction as to taking certain Lands, § 19.

As to Accommodation of Chapel Farm, § 20.

Three Years for Completion of Railways, §§ 21, 22.

Parts of existing Railways may be used for Siding Accommodation, &c., § 23.

As to Alteration of High Street, § 24.

Tolls for Use of Carriages, &c., § 25.

Maximum Tolls for Goods, § 26.

Definition of a terminal Station, § 27.

Power to raise 100,000*l.* by new Shares with or without a Preference not exceeding 5*l.* per Cent., §§ 28, 38 to 42.

Cancelling and Re-issue of Shares, §§ 30 to 37, 43 to 51.
Power to borrow 25,000*l*, §§ 52 to 54.
Saving Rights of Companies, § 57.
Saving Rights of the Crown, § 59.
Schedule (Form).

Cap. ccxix.

"The Saint George's Harbour Act, 1861."

Preamble recites that by "The Saint George's Harbour Act, 1853," the Saint George's Harbour Company were incorporated, and were authorized to make and maintain a Harbour, with a Pier and other Works, at Llandudno in the County of Carnarvon, and a Line of Railway to connect the same with the Chester and Holyhead Railway, and were authorized to raise a Capital of 150,000*l*. in 7,500 Shares of 20*l*. each, and to borrow on Mortgage or Bond not exceeding 50,000*l*.; and it was thereby provided that the first Harbour Work to be made should be the Pier; and whereas by "The Saint George's Harbour Act Amendment Act, 1855," the Company were prohibited from expending any Portion of their Capital in the making of the other Works authorized by the recited Act until they should have completed and opened for Traffic the Pier and the Line of Railway; and they were authorized to borrow on Mortgage or Bond not exceeding 16,666*l*., Part of the 50,000*l*. by the recited Act authorized to be borrowed, so soon as the 50,000*l*., Part of the Capital by the recited Act authorized to be raised by Shares, should be subscribed for, and One Half thereof should be actually paid up; that the Company have made the Pier and Railway by the recited Acts authorized, or the greater Part thereof, but although they have obtained possession of the Lands on which the same are made, they have not legally acquired some of those Lands; that the Undertaking of the Company now consists of so much of the Railway authorized by the first-recited Act as extends from its Junction with the Chester and Holyhead Railway to near Mostyn Street in the Town of Llandudno, and the Lands, Station, Works, and Conveniences connected therewith, and of the Pier constructed under the Powers of the said Act; but the Powers of the Company in relation to the Harbour thereby authorized have become extinct; that the Railway by the recited Acts authorized forms a Junction with the Chester and Holyhead Railway, now belonging to the London and North-western Railway Company; and it is expedient that the Powers of the Company with respect to the taking of some of the Lands requisite for the Purposes of their Undertaking be revived, and that the Powers of the Company for levying Tolls, Rates, or Dues in respect of their Pier be revived and amended; and also that the Company be authorized to lease or sell to the North-western Company, and they be authorized to take on Lease or Purchase, the Company's Railway; that the ordinary Capital of the Company consists of 2,385 Shares of 20*l*. each, of which

2,246, to the aggregate nominal Amount of 44,920*l.*, are fully paid up, and in respect of 139 of which the Sum of 559*l.* 10*s.* only has been paid, and such last-named Shares are under Notice of Forfeiture; and whereas the Company, at Meetings of the Company held in the Year 1856, at which every then Shareholder of the Company was present, personally or by Proxy, and consented thereto, issued 900 Shares of 20*l.* each, to the aggregate nominal Amount of 18,000*l.* as preferential Shares bearing preferential Dividend at the Rate of 5*l.* per Centum per Annum, and the same are fully paid up; and it is notified on the Face of every Certificate of ordinary Shares that such Share was issued subject to the prior Claims of the Preference Shareholders; and whereas the Company have borrowed on Mortgage or Bond 16,600*l.*, the whole of which is still secured by Mortgages or Bonds; and whereas the aggregate Sum raised by the Company by Shares and by borrowing is 80,079*l.* 10*s.*, the whole of which has been expended for the Purposes of the Company's Undertaking; and whereas the Company have incurred Judgment and other Debts or Liabilities beyond the Amount of their Debenture Debt, and it is expedient that Provision be made for the Discharge thereof; and it is expedient that the Amount of the Company's Capital, and the Amount which they may borrow, be reduced, and Provision be made for the Regulation of their reduced Capital and Debenture Debt.

Lands Clauses, Railways Clauses, and Part of Companies Clauses Acts incorporated, §§ 2, 3.

Powers for raising Capital and borrowing extinguished, § 5.

Capital.

6. On and after the passing of this Act the Capital of the Company shall be the Sum of 70,000*l.*, subject to Augmentation as by this Act provided, consisting of the following Sums; (that is to say,)

	£
1st, the Company's present Preferential Capital in 900 Shares of 20*l.* each - - - - -	18,000
2dly, the Company's present ordinary Capital in 2,246 Shares of 20*l.* each, fully paid up - -	44,920
And the Company's present ordinary Capital of 139 Shares of 20*l.* each, under Notice of Forfeiture - - - - - - -	2,780
3dly, the Capital which by this Act the Company are authorized to raise by new Shares - -	4,300
Total - -	£ 70,000

Power to raise Part of Capital by new Shares.

7. In lieu of forfeited Shares, and for the Purposes of this Act, the Company from Time to Time may raise, by the Creation and Issue of new Shares, any Sums not exceeding in the whole 7,080*l.*, Part of the Company's Capital under this Act.

New Shares may be of different Classes, § 8.

Restrictions as to new Shares.

9. Provided, That no new Share issued by the Company under this Act shall bear any fixed or preferential Dividend beyond

beyond the Rate of 4*l.* per Centum per Annum on the Amount from Time to Time actually paid thereon: Provided also, that all the Shares of the same Class shall be of the same Amount, and all the Shares of the same Class shall bear like Dividend, and confer like Privileges.

Limit of Profits applicable to preferential Dividend.

10. If in any Year ending with the 31st Day of December there are not Profits of the Company available for the Payment of the full Amount of the preferential Dividend for that Year on any new Shares issued under this Act, no Part of the Deficiency shall be made good out of the Profits of any subsequent Year, or out of any other Funds of the Company.

Saving existing preferential Shares, § 12.
Disposal and Appropriation of new Shares, §§ 13 to 18.
Power to borrow 20,500*l.*, §§ 19 to 21.
Power to create Debenture Stock; Conditions of such Stock, §§ 23 to 28.
One Year for compulsory Purchase of Lands, § 30.
Providing for existing Contracts and for Compensation, §§ 31, 32.
Pier Dues, § 33.
Power for Company and North-western Company to enter into Agreements, § 34.

Purposes for which Companies may agree.

35. The Purposes for which Agreements under this Act may be entered into between the Company and the North-western Company comprise the following Purposes; (that is to say,)

1st, the granting by the Company, and the accepting by the North-western Company, of a Lease of their Railway, and the Works and Conveniences connected therewith, and the Lands and other Property of the Company held for the Purposes thereof, and of the Powers, Privileges, and Authorities of the Company with respect to the same, on such Terms and Conditions as the contracting Companies think fit:

2dly, the making by the Company, and the accepting by the North-western Company, of a Transfer of their Railway and the Works and Conveniences connected therewith, and the Lands and other Property of the Company held for the Purposes thereof, and of the Powers, Privileges, and Authorities of the Company with respect to the same, on such Terms and Conditions as the contracting Companies think fit.

Rent or Consideration for Lease or Transfer.

36. Provided, That except so far as the Company and the North-western Company from Time to Time otherwise agree, the Rent to be reserved by the Lease, or the Consideration for the Transfer, shall be a yearly Rent or yearly Sum after the Rate of 1,615*l.* a Year from the 1st Day of January 1861 to the Day of the granting or making by the Company and the accepting by the North-western Company of a Lease or Transfer under this Act, and a yearly Rent or a yearly Sum of 2,500*l.* from that Day, payable half-yearly, without any Deduction, except as is by this Act provided, and, in the Case of a Lease, to be paid during the Continuance thereof, or, in the

the Case of a Transfer, to be paid in perpetuity, and in either Case without any Deduction, except as is by this Act provided.

Deductions from Rent or Consideration.

37. Provided, That the yearly Rent or yearly Sum payable by the North-western Company under the Lease, or as the Consideration for the Transfer, shall be subject to the following Deductions; (that is to say,)

1st, the Property or Income Tax, if any, which the North-western Company from Time to Time may lawfully deduct thereout:

2dly, a Sum by way of Interest, after the Rate of 4*l.* 10*s.* per Centum per Annum, on such of the Debts or other Liabilities of the Company, with respect to the Premises leased or transferred to the North-western Company, as they pay or discharge in respect thereof, the Amount, in case of Difference between the Two Companies, to be determined by Arbitration under "The Railway Companies Arbitration Act, 1859:"

3dly, a Sum, after the Rate of 4*l.* per Centum per Annum, on all Sums expended by the North-western Company in respect of Works made by them in the Year 1858 at the Junction of the Company's Railway with the Chester and Holyhead Railway, the Amount, in case of Difference between the Two Companies, to be determined by Arbitration in like Manner.

Security for yearly Rent or yearly Sum.

38. The yearly Rent or yearly Sum so payable to the Company by the North-western Company is by this Act charged on the Premises leased or transferred, and the Tolls, Fares, Rates, Charges, and other Sums from Time to Time receivable in respect of the same, and may also be recovered by the Company from the North-western Company in any Court of competent Jurisdiction as a Debt due from the North-western Company to the Company.

Saving existing Preferences of North-western Company.

39. Provided, That the yearly Rent or yearly Sum, or any Stock created by the North-western Company in accordance with this Act for the Redemption thereof, shall not prejudice or affect any Preference or Priority in the Payment of any other Rent or yearly or other Sum, or of Interest or Dividend on any Stock or Shares, from Time to Time respectively granted or guaranteed by the North-western Company by or in pursuance of or confirmed by any Act passed before the accepting by them of the Lease or Transfer, or otherwise from Time to Time lawfully subsisting.

Redemption of Rent or Consideration.

40. Provided, That the North-western Company, at any Time, if they think fit, may redeem the yearly Rent or yearly Sum payable by them under the Lease, or as the Consideration for the Transfer, by allotting to the Company Stock of the North-western Company bearing a fixed Dividend equal in Amount to the net Amount, in accordance with this Act, of the yearly Rent or yearly Sum so payable.

Transfer to North-western Company.

41. In accordance with the Terms and Conditions agreed on under this Act between the Two Companies for any such Transfer, all the Premises thereby agreed to be transferred to the North-western Company, and the Rights, Powers, Authorities, and Privileges to be, in accordance with this Act, exercised

exercised and enjoyed by the North-western Company, and their Directors, Officers, and Servants, with respect to the same, shall, at the Time by the Agreement appointed for the Transfer to take effect, be by this Act, and subject to the Provisions thereof, transferred to and vested in the North-western Company absolutely and for ever; and the Premises so transferred to them are by this Act amalgamated with and shall be deemed Part of their original Undertaking, and the Transfer shall be evidenced by a Deed duly stamped, and wherein the full Consideration for the Deed is fully and truly set forth.

Lease or Transfer to entitle North-western Company to Premises leased or transferred.

42. In accordance with the Terms agreed on under this Act between the Two Companies for any such Lease or Transfer, the North-western Company shall be entitled, under the Agreement in that Behalf, and from the Time thereby appointed for the Lease or Transfer to take effect, to the Management, Regulation, Maintenance, User, Working, and Enjoyment of the Premises agreed to be leased or transferred, and the Traffic thereon and thereat, and to the regulating, taking, and enjoying of the Tolls, Fares, Rates, Charges, and other Payments and Advantages in respect thereof.

Powers of Company as to Premises leased or transferred to be exercised by North-western Company.

43. All the Rights, Powers, Authorities, and Privileges of the Company, and their Directors, Officers, and Servants respectively, which by virtue of any of the Acts relating to the Company, and from Time to Time in force, might be exercised and enjoyed by them respectively with respect to the Premises agreed to be leased or transferred, and which, in accordance with the Terms and Conditions of the Agreement or of this Act, are to be exercised and enjoyed by the North-western Company, and their Directors, Officers, and Servants respectively, with respect to the Premises agreed to be leased or transferred, may and shall be exercised and enjoyed accordingly, under and with the same Regulations, Restrictions, Conditions, Obligations, Penalties, and Immunities, according to those Acts respectively, as by the Company, and their Directors, Officers, and Servants respectively.

Company's Acts to apply to Lessee or Transferee.

44. In accordance with the Term and Extent of the Lease, or the Extent of the Transfer, the recited Acts and this Act respectively, and any other Acts from Time to Time in force with respect to the Company, shall, so far as the same respectively apply to the Premises agreed to be leased or transferred, be read and have effect as if the same had been passed with respect to the North-western Company instead of with respect to the Company.

Tolls to be taken by North-western Company.

45. During the Lease, or, as the Case may be, from and after the Transfer, the North-western Company, from Time to Time may demand and take, in respect of the Premises agreed to be leased or transferred, the like Amount of Tolls, Fares, Rates, and Charges which by the first-recited Act the Company are authorized to demand and take with respect to the same, but not exceeding the maximum Amount thereof thereby limited: Provided always, that with respect to the Tolls, Fares, and Charges to be demanded and taken by the London

London and North-western Railway Company for Traffic conveyed partly on the London and North-western Railway and partly on the Railway of the Company, the Length of Railway over which the Traffic passes shall be estimated as if the Railway over which it passes had been originally authorized as One continuous Line of Railway; but in respect of Traffic passing partly over the London and North-western Railway and partly over the Railway of the Company, and conveyed for a less Distance than Four Miles, it shall not be lawful for the London and North-western Railway Company to demand and take Tolls as for Six Miles, but only as for Four Miles.

Power to sell or lease Company's Pier.

46. The Company and the North-western Company may from Time to Time enter into and carry into effect Contracts and Agreements for the Transfer or Lease to the North-western Company of the Company's Pier, and the Works and Conveniences connected therewith, upon such Terms and Conditions, and for such Payments, annual or in gross, or other Consideration, as may be mutually agreed upon between the Two Companies; and during the Continuance of such Lease, or after such Transfer, the North-western Company may exercise and enjoy all the Powers, Authorities, Rights, and Privileges of the Company in relation to the said Pier, and the Works and Conveniences connected therewith.

Application of Monies by North-western Company for Purposes of Act.

47. The North-western Company from Time to Time may apply, for the Purposes of this Act relating to them, any Monies which they from Time to Time raise by Shares or by borrowing, and which are not wanted for the special Purpose (if any) for which, by any of the Acts relating to the North-western Company, they are made applicable.

Power for North-western Company to create Stock for Redemption of Rent, &c.

48. For the Purposes of the Redemption, in accordance with this Act, of the yearly Rent or yearly Sum payable by the North-western Company to the Company, the North-western Company may create and issue Stock of the North-western Company with a fixed Dividend equal in Amount to the net Amount of the yearly Rent or yearly Sum payable to the Company under the Provisions of this Act: Provided that the Stock so created shall be applied only for the Redemption of the yearly Rent or yearly Sum.

Limit of Amount of Stock to be created by North-western Company.

49. Provided, That the total nominal Amount of the Stock to be created by the North-western Company for the Purposes of this Act shall not exceed 70,000*l.*

Saving Agreement with Mr. Lloyd Jones, § 50.
Saving Rights of Judgment Creditors of Company, § 53.
Saving Rights of the Crown, § 54.

Cap. ccxx.

"The Southampton and Netley Railway Act, 1861."

Proposes the making of a Railway between the London and South-western Railway, at or near to that Railway at Saint Denis near Southampton, and the Military Hospital at Netley.

Incorporation of Consolidation Acts, § 1.

Subscribers incorporated, with a Capital of 48,000*l.*, and Power to borrow 16,000*l.*, §§ 3 to 9.
Meetings; Directors, §§ 10 to 14.
Power to make Railways and alter Engineering Works, §§ 15, 16.
Road in the Parish of Hound not to be deviated without Consent, § 17.
Communications with South-western Railway, §§ 18 to 21.
Saving Rights of Northam Bridge Company, § 22.
Admiralty Provisions, §§ 23 to 26.
Saving Rights of the Principal Secretary of State for the War Department, § 27.
Road to be crossed on the Level, §§ 28 to 31.
Two Years for compulsory Purchase of Lands, § 33.
Three Years for Completion of Works, §§ 34, 35.
Tolls, §§ 36 to 45.
Settlement of Differences by Arbitration, § 46.
Power to enter into Traffic Arrangements with South-western Company, §§ 47 to 52.
Saving Rights of the Crown, § 56.

Cap. ccxxi.

"Stourbridge Railway Extension Act, 1861."

Recites Incorporation of the Company in 1860, with Power to make a Railway from the Line of the West Midland Railway from a Point near the Stourbridge Passenger Station to Old Hill in the Parish of Rowley Regis in the County of Stafford, with Two Branches, one to Cradley Park and the other to the Congreaves Iron Works, and with Power to raise by Shares 80,000*l.*, and on Loan 26,600*l.*; proposes to extend their Railway from the said Parish of Rowley Regis to the Township of Smethwick in the Parish of Harborne in the County of Stafford, there to form a Junction with the Birmingham and Wolverhampton and Stour Valley Line of the London and North-western Railway, and also to make a Branch Railway; also to raise Money for the Purposes of the Act, and that Powers should be given to and Arrangements authorized with other Companies.
Incorporation of Consolidation Acts, §§ 2 to 5.
Power to make Deviations in Extension Railway, § 6.
Power to make Railways according to deposited Plans, § 7.
Level Crossing, §§ 8 to 11.
For securing Completion of Junction with Birmingham, Wolverhampton, and Stour Valley Railway, § 14.
Regulating Communication with Birmingham, Wolverhampton, and Stour Valley Railway, §§ 15 to 20.
Protection of Birmingham Canal Company, §§ 21 to 34.
Extension Railway to form Part of Railway, § 35.
Four Years for the Completion of Works, § 36.
Power to Company to raise additional Capital of 120,000*l.*, §§ 37 to 41.
Power to borrow 40,000*l.*, § 42.
Separate Accounts, § 43.

Application of Sums raised under this Act, § 44.
As to Profits from Extension Railway, § 45.
Power to West Midland Railway Company to subscribe 20,000*l.*, and to raise Money by Creation of Shares with 5*l.* per Cent. Preference, §§ 46 to 50.
Certain Sections of Act of 1860 to apply, § 51.

Through Booking and Facilities to be afforded between the London and North-western Company and the Company.

52. Through Rates shall be settled by Agreement, or, failing Agreement, by Arbitration between the Company or the West Midland Railway Company and the London and North-western Railway Company, and quoted in respect of the Descriptions of Traffic herein-after mentioned passing over or using the Stourbridge Railway or the Extension Railway hereby authorized, and between the Stations and Places herein-after mentioned; (that is to say,)

In respect of Passenger Traffic passing or intended to pass from the Stourbridge Station of the West Midland Railway Company (or the Station at Stourbridge of the Company), or passing or intended to pass from any Station of the Stourbridge Railway or of the Extension Railway, and destined for Birmingham, or for any Station on the Birmingham, Wolverhampton, and Stour Valley Railway between Smethwick and Birmingham, or for any Station (including London) on the Birmingham and London Line of the London and North-western Railway, and vice versâ.

Any Difference between the Companies with respect to the Amount of such Through Rates, or the Apportionment of the same between the said Companies, or as to the Mode of giving Effect to this Provision, shall from Time to Time be settled by Arbitration in manner provided by "The Railways Clauses Arbitration Act, 1859," and the said Companies shall respectively book through in accordance with the Rates so settled or determined; and the Expression "Birmingham and London Line" shall mean the Main Line, exclusive of Branches, which forms the continuous Line of Railway between Birmingham and London, and was formerly called "The London and Birmingham Railway," and the Expression "Stourbridge Station of the West Midland Railway" shall include the intervening Part (if any) of the West Midland Railway situate between that Station and the Railway of the Company.

Cap. ccxxii.

"The Swansea Harbour Act, 1861."

Recites that in 1854 the Swansea Harbour Trustees were incorporated and made the Conservators of the Harbour of Swansea and the River Tawe, and the Parts therein specified of Swansea Bay, and Powers were conferred on them for the Conservancy, Improvement, Protection, and Regulation of the Harbour, and they were authorized to make and maintain Docks, Basins, and other Works, and to take Light Dues on Vessels, Rates on Shipping, Rates on Goods, and Bridge Tolls; and Provision was made that all Rates, Dues, Damages, Penalties, and other Sums payable to and Income

of the Trustees, should be paid to the Credit of the Swansea Harbour Fund, and they were authorized to purchase and hold Lands for the Purposes of the Act, and to borrow, in addition to a Bond or Mortgage Debt of 146,242*l.* or thereabouts, to which the Swansea Harbour Fund was made subject as therein expressed, any Sums not exceeding 80,000*l.* on Mortgage of the Tolls, Rates, and Dues by the now reciting Act authorized; that the Trustees have proceeded in the Execution of the Act of 1854, and have raised by Mortgage thereunder 80,000*l.*; that in 1857 the Undertaking, Docks, and Works of the Swansea Dock Company were transferred to and vested in the Trustees, and the Trustees were thereby empowered and required to make and complete the Docks and Works which the Dock Company were by "The Swansea Dock Act, 1847," authorized to make and complete; that by the last-mentioned Act the Trustees were authorized to make and maintain a Railway commencing by a Junction with the South Wales Railway in the Parish of Swansea, and passing through and terminating within that Parish near to the North-western Corner of the authorized Swansea Dock; that by the same Act, for the Purpose of enabling the Trustees to complete the Docks and Works of the Dock Company, and the Dam or Embankment and other Works connected therewith, they were empowered to borrow on Mortgage of the Dock Rates by that Act authorized, and of the Docks and the Works connected therewith, and of the Swansea Harbour Fund provided by the Act of 1854, jointly, any Sums not exceeding in the whole 100,000*l.*; and for the Purpose of enabling the Trustees to purchase any Lands which they were by that Act authorized to purchase by Agreement, they were empowered to borrow on Mortgage of the Swansea Harbour Fund any Sums not exceeding in the whole 5,000*l.*; and for the Purpose of enabling the Trustees to make the Railway by that Act authorized, they were empowered to borrow on Mortgage of the Railway Rates, Tolls, and Charges by that Act authorized, and of the Railway and Works connected therewith, and of the Swansea Harbour Fund jointly, any Sums not exceeding 75,000*l.*; that the Trustees have proceeded in the Execution of the Act of 1857, and have completed the Docks and Works which the Dock Company were by "The Swansea Dock Act, 1847," authorized to make and complete, and have also made the Railway by that Act authorized, with Sidings, Wharves, and Conveniences connected therewith; that the Works and Purposes executed by the Trustees under the Powers of the Act of 1854 have cost the Trustees upwards of 80,000*l.*, and the Trustees are indebted to various Persons in respect of such Works; and the said Sums of 100,000*l.* and 75,000*l.*, authorized to be raised by the Act of 1857, have been insufficient for the Purposes of the Completion of the said Docks and the Construction of the said Railway, and the Trustees are further indebted to various Persons in respect of those Works, and it is expedient that the Trustees should be empowered to raise the further Sum of 40,000*l.*, to be

applied in the Manner and for the Purposes herein-after mentioned.

Incorporation of Parts of Commissioners Clauses Act, § 2.
Power to borrow, § 3.
Mortgages under recited Act to have Priority, § 4.
Appointment of Receiver for Mortgagees, § 5.
Accruing Interest to be provided for, § 6.
Trustees not bound by Trusts affecting Mortgages, § 7.

Sinking Fund.

8. After the Principal Sums due and owing on the Credit of the Rates, Dues, and Tolls authorized by the Act of 1854 shall have been paid off, the Trustees shall set apart and appropriate annually out of the same Rates, Dues, and Tolls, as a Sinking Fund, to be applied in paying off the Principal Sums from Time to Time secured on Mortgage under this Act, the same Sum as they are by the Act of 1854 required to set apart for the Purpose of a Sinking Fund after the 30th Day of June 1864, namely, the Sum of 1,500*l.*, together with any Amount of surplus Revenue which may remain in the Hands of the Trustees in any Year.

Cap. ccxxiii.

"The Oswestry, Ellesmere, and Whitchurch Railway Act, 1861."

Proposes the making of a Railway from the Oswestry and Newtown Railway at Oswestry to the London and North-western Railway at Whitchurch in the County of Salop, and Working Agreements with the London and North-western Railway Company.

Incorporation of Acts, § 1.
Subscribers incorporated, with a Capital of 150,000*l.*, and Power to borrow 50,000*l.*, §§ 3 to 7.
Directors; Meetings, &c., §§ 12 to 17.
Power to make Railways, § 18.
Lands to be purchased by Compulsion within Three Years, § 22.
Five Years for Completion of Railways, § 23.
Protection of Property of Shropshire Union Railways and Canal Company, § 24.
For preventing Obstructions to Canal, § 25.
Saving Right of Shropshire Union Company, § 26.
Not to take Lands or interfere with Works of other Companies except for Purposes authorized, § 27.
Station to be made in the Parish of Hanmer, § 28.
Siding to be made by the Company at Fenn's Lane, § 29.
As to Works through the Estate of Sir John Hanmer, Baronet, § 30.
Provisions with respect to Junctions with other Railways, §§ 32 to 36.
Tolls, §§ 37 to 45.
Power for Oswestry and Newtown Company to contribute towards Funds of Company, § 46.

Power for London and North-western Company to contribute towards Funds of Company, § 47.
Power for contributing Company to raise and apply Monies for Contribution towards Funds of Company, § 48.
Payment of preferential Dividend by contributing Company, § 49.
Sanction of Shareholders for Contribution by Companies towards Funds of Company, § 51.
Saving Rights of existing preferential Shares, § 52.
Nominees of contributing Companies to vote at Meetings of Company, § 53.
Instruments of Appointment and Revocation of Nominees, §§ 54 to 56.
Restrictions on Agreements between Companies, §§ 57 to 64.
For facilitating Traffic between Railway and London and North-western Railway, § 65.
If Railway worked continuously with London and North-western, only One Short Distance Charge to be made, § 66.
To facilitate the Transmission of Traffic to or from the Great Western Railway from or to the Railway of the Company, § 67.

Cap. ccxxiv.

"The Petersfield Railway Deviation Act, 1861."

Recites that in 1860 the Company were incorporated for making a Railway from the Mid-Sussex and Midhurst Junction Railway to Petersfield in the County of Southampton, with Power to raise a Capital of 100,000*l.*, and to borrow 30,000*l.*; that they are about proceeding with the Construction of the said Railway, and have raised Part of their Capital, but they have not yet borrowed any Money under the Provisions of the said Act; proposes to make the Railway herein-after described, the same being an Extension and partial Deviation of the authorized Line of the Petersfield Railway above mentioned.
Incorporation of Companies and Lands and Railways Clauses Acts, §§ 2, 3.
Power for Company to make Deviation Line and to take Lands according to Plans and Sections, § 4.
Two Years for compulsory Purchase of Lands, § 5.
Three Years for completing Railway, § 6.
Description of Railway Deviation authorized by this Act, § 7.
No Junction of Railway with London and Portsmouth Railway without Consent, § 8.
Abandonment of Portion of Railway, § 9.
Compensation to be made in respect of Line abandoned, § 10.
Compensation for Damage to Lands by Entry, &c., § 11.
Deviation Line to be Part of the Petersfield Railway, § 12.
General Application of Company's Funds, § 15.
Saving Rights of other Companies, § 16.

Cap. ccxxv.

"The Westminster Insurance Society's Dissolution Act, 1861."

Proposes to enable the Society or Partnership called "The Westminster Society for Insurance of Lives and Survivorships and for granting Annuities," to make Provision for satisfying the Liabilities and Engagements of the said Society or Partnership; to confirm an Agreement entered into between the said Society or Partnership and the Society or Partnership called "The Guardian Fire and Life Assurance Company;" to dissolve the said Westminster Society; and to authorize the Distribution among the Members thereof of so much of the Capital of the said Westminster Society as shall not be required for the Purpose of satisfying the Liabilities and Engagements thereof.

Agreement dated December 19th, 1860, confirmed, § 3.

Money payable by Westminster Society under subsisting Policies to be paid into the Bank, § 4.

Liability of the Guardian Company to be substituted for that of the Westminster Society, § 5.

Power for Directors of the Companies to carry Agreement into effect, § 6.

Payment of Monies into the Bank, § 7.

Receipts of the Cashier of the Bank and Certificate of the Accountant General to discharge, § 8.

Money to be invested in Stocks, Funds, or Securities in which Cash under the Control of the Court may be invested, and to be held as forming together a Guarantee Fund to answer Monies payable under subsisting Policies, and applied for that Purpose from Time to Time under Order of Court of Chancery, § 9.

Application of Dividends on Fund No. 1, § 10.

Application of Dividends on Fund No. 2, § 11.

Trustees may agree with Directors for the Surrender of Policies in exchange for Policies in the Guardian, § 12.

Persons taking any new Policy in exchange to participate in Profits of Guardian Company, § 13.

Policies taken in exchange to be subject to same Trusts and Obligations, § 14.

When Policy exchanged or satisfied by Guardian Company, so much of the Guarantee Fund as would satisfy the same may be withdrawn under Order of the Court of Chancery, § 15.

Amount of Fund to be withdrawn when each Policy granted or satisfied, § 16.

Amount withdrawn from Fund No. 2 to be transferred to Trustees of Westminster Society, and the Amount withdrawn from Fund No 1. to be transferred to Trustees of the Guardian Company, § 17.

Dividends of Guarantee Fund No. 2 after One Year to be carried over to Proprietors Account, § 18.

Amount to be withdrawn from Time to Time, § 19.

Withdrawal from Guarantee Fund No. 2 after One Year, § 20.
Amount to be transferred to belong to Proprietors of Westminster Society, § 21.
Provision in case of Defaults on the Part of the Guardian Company, § 22.
After Withdrawal of Guarantee Fund No. 2, Notice to Westminster Society not necessary, § 23.
Money paid into the Bank to be applied under Order of Court of Chancery, § 24.
Court may make Order as to Costs, § 25.
Orders may be made on Petition or Summons, § 26.
As to Services of Notices, &c., § 27.
Monies payable to Trustees of Westminster Society may be paid to any Two of them, § 28.
Agreement dated 29th May 1861 confirmed, § 29.
Power to carry the same Agreement into effect, § 30.
Application of Assets of Westminster Society to certain Purposes, § 31.
Residue of Assets held for the Benefit of the Proprietors, § 32.
No Policy to be granted or Annuity sold by Westminster Society, § 33.
54 Geo. 3. c. clxxix. continued, § 34.
Appointment of Trustees of Act, § 35.
Directors may summon Meetings of the Proprietors for the Purposes of this Act, § 36.
Two Meetings may by Resolution dissolve the Society, § 37.
Upon Dissolution all the Real and Personal Estate of the Society to vest in Trustees and to be sold and converted into Money. Proviso, § 38.
Proceeds to be divided amongst Proprietors rateably, § 39.
Directors may provide for Officers or Servants, § 40.
Receipt of Trustees, &c. to be good Discharges, § 41.
A Meeting of Proprietors may resolve that Accounts of Trustees are accurate and settled, § 42.
Power to appoint new Trustees for executing the Act, § 43.
Trustees Indemnity, § 44.
Provision as to Costs of Trustees, § 45.
SCHEDULES 1 and 2:
Description of Policies.
SCHEDULE 3:
Estimate of Assets.

Cap. ccxxvi.

"The West of Fife Railway and Harbour Act, 1861."

Recites Incorporation of the West of Fife Mineral Railway Company in 1856, and that further Powers were conferred on the Company by "The West of Fife Mineral Railway (Roscobie Branch) Act, 1857," and "The West of Fife Mineral Railway (Kingseat Extension) Act, 1860;" that the Charleston Railway and Harbour Company were incor-

porated in 1859; proposes to amalgamate the Two Companies.
Incorporation of Consolidation Acts, § 3.
Charleston Railway defined, § 4.
Amalgamation of the Two Companies and Saving of Rights and Liabilities, §§ 5 to 23.

Capital of new Company.

24. And whereas the West of Fife Mineral Railway Company were by the recited Acts relating to that Company authorized to raise by the Creation and Issue of Shares the Sum of 64,000*l.*, and by borrowing on Mortgage or Bond the Sum of 21,300*l.*; and the Charleston Railway and Harbour Company were by the recited Act relating to that Company authorized to raise by the Creation and Issue of Shares the Sum of 72,000*l.*, and by borrowing on Mortgage or Bond the Sum of 24,000*l.*; the Capital of the West of Fife Railway and Harbour Company in Shares shall and is hereby declared to be 136,000*l.*; and the Sum which the Company is authorized to borrow on Mortgage or Bond, including as Part thereof any Sums already borrowed by the dissolved Companies or either of them, shall and is hereby declared to be 45,300*l.*

Number and Amount of Shares, § 25.
Shareholders in dissolved Companies to be Shareholders in new Company, § 26.
Powers of dissolved Companies to raise further Capital vested in new Company, § 27.
Separate Registers to be kept, § 28.
Meetings; Directors, §§ 29 to 42.
Company may levy Tolls and Rates for Railways and Harbour, § 43.
Separate Accounts of Revenue and Expenditure to be kept, § 44.
Mode of stating Revenue Accounts, § 45.
Defining Amount of West of Fife and Charleston Shares, § 46.
As to Issue of additional West of Fife Shares, § 47.
Disposal of additional Shares, § 48.
Dividends payable out of Revenue of Charleston Railway and Harbour, § 49.
Dividend payable out of Revenue of West of Fife Mineral Railway, § 50.
Application of surplus Revenue of the Company, § 51.
Former Grants of Preference not to be affected, § 52.
Provision of Charleston Railway and Harbour Act, as to Agreements with Lord Elgin's Trustees, repealed, § 53.
Reservation of Merchant Shipping Acts, § 57.

Cap. ccxxvii.

"Rumney Railway Act, 1861."

Recites that by 6 Geo. 4. c. lxii. (Local) the Company were incorporated and authorized to make and maintain a Railway or Tramroad from the Northern Extremity of the Estate called Abertyswg to a Junction at or near to Pye

Corner with the Sirhowy Railway, and were authorized to raise a Capital not exceeding 47,100*l.*, in Shares of 100*l.* each, and to borrow 20,000*l.*; that they accordingly made the Railway or Tramroad thereby authorized (now called the Rumney Railway) as a Tramroad, and not as a Railway; that certain Railways communicating immediately with the Rumney Railway, and which were originally made as Tramroads, were afterwards converted into Railways, and Locomotive Engines were used thereon; and in consequence thereof, and in order to afford adequate Facilities for the Transmission of Traffic over the Rumney Railway, and to and from such other Railways, the Company converted the Rumney Railway from a Tramroad into a Railway; that the Company have from Time to Time improved the Rumney Railway by lessening some of the Curves thereof, and doing away with some of the level Crossings thereon; that it is expedient that the Company be authorized to maintain, work, and use the Rumney Railway as a Railway for Passenger and other Traffic, and to alter and straighten the Line and improve the Levels thereof; and also to make and maintain a Railway commencing by a Junction at Machen with the Rumney Railway, and terminating by a Junction with the Eastern Terminus of the Caerphilly Branch of the Rhymney Railway, and to maintain the Railway as a Railway for the Conveyance of Passengers as well as of Animals and Things, and to work and use it accordingly; also that Agreements be authorized between the Company and the Monmouthshire Railway and Canal Company and the West Midland Railway Company, and also a Lease or Sale of the Undertaking, Works, and Property of the Company to the Monmouthshire Company and the West Midland Company, or either of them; that the Company raised their authorized Capital of 47,100*l.* by 471 Shares of 100*l.* each, and those Shares are fully paid up, and have borrowed 20,000*l.*; but in consequence of a Question having arisen with respect to the Exercise of their borrowing Powers, some of the Shareholders of the Company covenanted with the Mortgagee by way of Indemnity for such Loan; that the Sum of 20,000*l.* so borrowed was applied for the Purposes of the Company's Undertaking, and it is expedient that all Questions as to the Validity of the Mortgages granted by the Company for securing the same be set at rest, and that the Company be authorized to raise Money by new Shares for the Purposes of the Works by this Act authorized, and for other Purposes of their Undertaking.

Incorporation of Consolidation Acts, §§ 2, 3.

Repeal of recited Act; Saving of Rights and Liabilities, §§ 5 to 18.

Meetings; Directors, §§ 19 to 26.

Capital.

27. The Capital of the Company under this Act shall be the Sum of 100,000*l.* in 1,000 Shares of 100*l.* each, consisting of the Sum of 47,100*l.* in 471 Shares of 100*l.* each, by this Act vested in the Holders of Shares of the Company's present Capital, and the Sum of 52,900*l.* in 529 Shares of 100*l.* each

each, by this Act authorized to be created and issued by the Company.

Four hundred and seventy-one Shares vested in present Shareholders as fully paid up, § 28.

Four hundred and seventy-one Shares to be subject to same Trusts as old Shares, § 29.

Company to issue Certificates of 471 Shares, § 30.

Company may require Certificates of old Shares to be exchanged for Certificates of 471 Shares, § 31.

Certificates of old Shares to be available till Certificates of 471 Shares issued, § 32.

Power to raise further Capital by new Shares.

33. In addition to the Sum of 47,100*l.*, Part of the Company's Capital under this Act, which is represented by the 471 Shares so appropriated and vested, the Company from Time to Time may raise, by the Creation and Issue of 529 new Shares of 100*l.* each, the further Sum of 52,900*l.*

Power to issue new Shares of different Classes, and with or without a preferential Dividend not exceeding 5*l.* per Cent., §§ 34 to 37.

Cancelling and Surrender and Re-issue of Shares, §§ 38 to 46.

Power to borrow 33,300*l.*, § 47.

Provision for existing Mortgages of Company.

48. The Company's present Mortgage Debt of 20,000*l.* shall be deemed to be Part of the Sum which the Company are by this Act authorized to borrow on Mortgage, and to be a Sum borrowed accordingly under this Act, and the Mortgages granted by the Company before the passing of this Act for securing the same and the Interest thereon shall be deemed to be Mortgages duly granted by them under this Act, and during the Continuance thereof respectively, the same shall have Priority over all the Mortgages actually granted by the Company under this Act.

Power to take Lands, § 51.

Three Years for compulsory Powers, § 52.

Power to make Railway and Works, §§ 53, 54.

Lines of Railway and Works authorized by Act, § 55.

Power to alter Engineering Works, § 56.

Inclination of Roads, § 57.

Not to take Lands of Rhymney Iron Company otherwise than by Agreement, § 58.

Five Years for Completion of Railways, §§ 59, 60.

Junction with the Rhymney Railway, §§ 61 to 63.

Power for Company to discontinue Parts of Railway rendered needless by Alterations, &c., § 64.

Tolls for Tonnage, Animals, and Passengers, §§ 66 to 74.

Power to make Agreements with Monmouthshire and West Midland Railway Companies, §§ 75 to 83.

Power to lease or sell Undertaking to either Company, §§ 84 to 87.

Company in event of Sale to be wound up and dissolved, §§ 88 to 90.

Company, in certain Events, not to oppose Application to

91. Whereas by the "Newport, Abergavenny, and Hereford (Taff Vale Extension) Act, 1853," the "Newport, Abergavenny, and Hereford Railway Company" (therein called

Parliament for making a Branch to unite the Railway with West Midland Railway.

called "the Company") was authorized to construct a Branch Railway in the Parish of Mynyddysllwyn to the Rhymney Tramway Company's Tramway, and in the said Act was contained a Proviso that the Newport, Abergavenny, and Hereford Railway Company should not construct the last-mentioned Branch Railway without the previous Consent in Writing of the Rhymney Tramway Company under their Common Seal and of Sir Charles Morgan Robinson Morgan, Baronet: And whereas by the "West Midland Railway Act, 1860," the Newport, Abergavenny, and Hereford Railway Company were dissolved, and their Undertaking, Rights, Powers, and Engagements were vested in the Oxford, Worcester, and Wolverhampton Railway Company, which Company it was by the said last-mentioned Act enacted should thenceforth be called the West Midland Railway Company: Be it therefore enacted, That in case the West Midland Railway Company shall at any Time hereafter apply to Parliament for Powers to complete and open the said Branch, the Company shall not oppose such Application on the single Ground of their Parliamentary Power to exercise a Veto against the Construction of the said Branch, provided the Use of the same be limited to the forwarding of Traffic to Places other than Newport, Cardiff, or Penarth, or any other Ports in the Bristol Channel.

Saving Rights of other Companies, § 92.

SCHEDULE. (Form of Surrender of Shares.)

Cap. ccxxviii.

"The Caledonian Railway (Stonehouse Branch) Act, 1861."

Proposes to enable the Caledonian Railway Company to make a Branch Railway from their Lesmahagow Line to Cot Castle, near Stonehouse; to extend the Southfield Branch of that Line; to enlarge their Station at Symington; and for other Purposes.

Incorporation of Lands and Railways Clauses Acts, § 3.

Power to execute Works and acquire Lands, § 4.

Description of Works, § 5.

Regulating Inclination of Turnpike Road, § 6.

Regulating Dimensions of a certain Bridge, § 7.

Power to stop up a certain Road, § 8.

Power to alter Engineering Works, § 9.

Lands for extraordinary Purposes, § 10.

Three Years for compulsory Purchase, § 11.

Four Years for Completion of Works, § 12.

Tolls, § 13.

Power to raise 80,000*l.* by Creation of Shares, with 5*l.* per Cent. Preference Dividend, §§ 14 to 16.

Power to borrow 26,600*l.*, § 17.

Incorporation of Portions of Companies Clauses Act, § 18.

Cap. ccxxix.

"The Caledonian Railway (Cleland Extension and Branches) Act, 1861."

Proposes to enable the Caledonian Railway Company to extend their Cleland Branch to Morningside, and to make Branch Railways to Omoa Iron Works, to Drumbowie, and to Lanridge, all in the County of Lanark.
Incorporation of Lands and Railways Clauses Acts, § 3.
Power to execute Works and acquire Lands, § 4.
Description of Branch Railways, § 5.
Regulating Inclinations of certain Roads and private Railways, § 6.
Regulating Dimensions of certain Bridges, § 7.
Certain private Railways to be stopped up, § 8.
Power to alter Engineering Works, § 9.
Three Years for compulsory Purchase of Lands, § 11.
Five Years for Completion of Works, § 12.
Suspending Powers of Act as regards Part of Cleland Branch Extension, § 13.
Tolls, § 14.
Power to raise 160,000*l.* by Creation of Shares, with or without a 5*l.* per Cent. Preference, §§ 15, 16.
Power to borrow 53,300*l.*, § 17.
Incorporation of Portions of Companies Clauses Act, § 18.

Cap. ccxxx.

"The Forth and Clyde Junction Railway (Dalmonach Branch) Act, 1861."

Proposes to enable the Forth and Clyde Junction Railway Company to make a Branch Railway from their Main Line at or near Jamestown Station to near Dalmonach Print-works in the County of Dumbarton; recites that by their Act of 1853 the Company were authorized to raise by Shares 150,000*l.*, and by borrowing 50,000*l.*, but of the said Share Capital only 106,373*l.* has been realized by the Company, in consequence of Shares amounting to 43,000*l.* having been forfeited by Nonpayment of the Calls thereon, and of Arrears still due on Calls to the Amount of 627*l.*; that by their Act of 1857 the Company was authorized to raise 43,000*l.* in lieu of the said forfeited Shares, and the further Sum of 21,000*l.* to meet the then Liabilities of the Company, being together the Sum of 64,000*l.*, in additional Shares, to which a Preference was attached, and also to borrow the further Sum of 7,000*l.*; that there are yet unissued of the said preferential Shares to the Amount of 8,340*l.*, making, together with the said Sum of 627*l.* of Arrears on the original Capital of the Company, the Sum of 8,967*l.*, and against which there are Liabilities of the Company to the Extent of 10,097*l.*, leaving a Deficiency of their authorized Capital of 1,130*l.*; proposes to raise a further Sum of Money, by the Creation of additional Shares and by borrowing or

otherwise, for the Construction of the said Branch Railway, and also to meet the Liabilities of the Company for the Supply of Plant and other Purposes incurred since the passing of the said last-mentioned Act, and to attach a Preference to such new or additional Shares.

Incorporation of Consolidation Acts, § 3.
Power to make Branch Railway, § 4.
Level Crossing, §§ 5 to 10.
Eighteen Months for the compulsory Purchase of Lands, § 12.
Three Years for Completion of Works, § 13.
Tolls, § 14.
Power to raise 21,000*l.* by additional Shares, §§ 16, 17.
Power to borrow 7,000*l.*, §§ 18, 19.
Company may attach preferential Dividend to new Shares, §§ 20 to 22.

Cap. ccxxxi.

"The Eastern Counties Railway Act, 1861."

Preamble recites the Acts incorporating the Eastern Counties Railway Company, the Norfolk Railway Company, the Eastern Union Railway Company, and the Colchester, Stour Valley, Sudbury, and Halstead Railway Company; that the Stour Valley Company constructed their Railway from Mark's Tey to Sudbury, and also a Branch to Colchester, but did not construct the Railway to Halstead; that by 10 & 11 Vict. cc. xi. and xviii. the Stour Valley Company were authorized to make Railways from Sudbury to Melford, Lavenham, and Clare, and from Lavenham to Bury Saint Edmund's, but they have not made either of those Railways, and their Powers in that Behalf have expired; that by Indenture dated the 1st Day of July 1852, made and executed under the Authority of the Eastern Union Railway Arrangements Act, 1852, the Undertaking of the Stour Valley Company was demised for 999 Years to the Eastern Union Railway Company, who were by that Act directed to pay to the Stour Valley Company the clear yearly Rent of 9,500*l.*, which was to have Precedence and Priority and to be paid next after the Interest and Dividends on certain Stock and Shares by that Act authorized to be created for discharging Debts of the Eastern Union Railway Company; that by the East Anglian Railways Act, 1847, the Lynn and Ely Railway Company, the Ely and Huntingdon Railway Company, and the Lynn and Dereham Railway Company were united into One Company by the Name of the East Anglian Railway Company, and the Lynn and Ely, Ely and Huntingdon, and Lynn and Dereham Railways respectively were vested in that Company, and by divers Acts since passed further Powers have been conferred upon that Company; that by the Eastern Counties and Newmarket Railways Arrangements Act, 1852, an Agreement dated the 28th Day of May 1851, made between the Company and the Newmarket Railway Company for the Purpose of effecting certain Arrangements therein specified and set forth for the working of that Por-

tion of the Undertaking of the Newmarket Railway Company which consists of a Railway from the Eastern Counties Railway at or near Chesterford to Newmarket, and a Branch to the Town of Cambridge, by the Company, and for other Purposes, was confirmed, and the Company were authorized to purchase and the Newmarket Railway Company to sell, the aforesaid Portion of their Undertaking; that by the Newmarket Extension Railway Act, 1852, the Newmarket Railway Company were authorized to make a Railway from the Newmarket and Chesterford Railway at Newmarket to join the Eastern Union Railway at Bury St. Edmund's, in lieu of certain Railways between Newmarket and Thetford, and between Newmarket and Bury St. Edmund's, which they had been previously authorized to make; and by the Eastern Counties and the Norfolk, the Eastern Union, the East Anglian, and the Newmarket Railways Act, 1854 (after reciting that the Eastern Counties Railway is at various Points connected with the Norfolk Railway, the Eastern Union Railway, the East Anglian Railways, and the Newmarket Railway respectively, and that the Lines of those several Railways might advantageously form One System of Railways, and that it would be of public Advantage that Provision should be made for enabling those Lines of Railway to be maintained, regulated, and used as One System of Railways, and that it would also be to the Advantage of the Shareholders in those Undertakings that Provision should be made for the Amalgamation thereof), an Agreement dated the 2d Day of February 1852, and made between the East Anglian Railway Company and the Company for the Working and Management by the Company of the East Anglian Railways; and an Agreement dated the 6th Day of February 1854, and made between the Company of the First Part, the Eastern Union Railway Company of the Second Part, and the Norfolk Railway Company of the Third Part, for the Working and Management by the Company of the several Railways, Works, and Undertakings belonging to, or under the Management or Control, or in the Possession of the Eastern Union Railway Company and the Norfolk Railway Company respectively; and an Agreement dated the 30th Day of March 1854, and made between the Newmarket Railway Company and the Company for the Working and Management by the Company of the Railway of the Newmarket Railway Company from Newmarket to Bury Saint Edmund's, were confirmed; and it was enacted, that (subject to the Provisions of that Act, and in accordance with the Terms and Conditions of the Agreements in force between the Five Companies or any of them respectively), until the Amalgamation by that Act provided for, the Company should use, work, regulate, and manage the several Railways, Works, and Undertakings to which those Agreements respectively relate, and the Railways, Works, and Undertakings of the Company, as if those several Railways, Works, and Undertakings were One Undertaking, and were the Undertaking of the Company; and by the same Act Pro-

vision was made for an Application to Parliament in the First Session of the Year 1862 for a Bill for the Amalgamation of the Company, the Norfolk Railway Company, the Eastern Union Railway Company, the East Anglian Railway Company, and the Newmarket Railway Company; and by the same Act it was enacted, that during the Subsistence of the Agreement of the 6th Day of February 1854, or of any modified supplemental or ancillary Agreement by the Act now in recital authorized to be made, the Company should pay to the Stour Valley Company the said annual Rent of 9,500*l.* as there mentioned, and that the Stour Valley Company should have all the same Rights and Remedies against the Company as they then had or were entitled to against the said Eastern Union Railway Company under or by virtue of the said Lease of the 1st Day of July 1852; and by the Act now in recital the Company were authorized to deduct any Sums so paid from any Monies payable by them to the Eastern Union Railway Company, or to recover the same from that Company; that by the said Agreement of the 6th Day of February 1854 it was provided, that out of the gross Receipts taken and received by the Eastern Counties Railway Company during each Half Year upon, for, and in respect of the several Undertakings, the Subject of that Agreement, there should be first deducted a Sum for Working Expenses equal to 46 per Cent. upon such gross Receipts, and that from the Residue certain other Deductions (One of such Deductions being Interest on the Cost of certain Works specified in that Agreement and the Schedules thereto which was to be allowed to that Company which should complete the same) should be made, and that the Residue of such gross Receipts in each Half Year should be divided and apportioned among the Three Companies Parties to that Agreement, in the Proportions of Five Sevenths to the Company, One Seventh to the Eastern Union Railway Company, and One Seventh to the Norfolk Railway Company; and whereas the Schedules to that Agreement included an Extension Line at Wisbeach which was to have been made by the Company, (being the Railway authorized by the Eastern Counties Railway (Wisbeach Deviation) Act, 1852,) and they have purchased a considerable Quantity of Land for the Purposes of that Line, but their Powers for the Construction thereof have expired: and whereas by the Colne Valley and Halstead Railway Act, 1856, the Colne Valley and Halstead Railway Company were authorized to make a Railway from the Chappell Station of the Colchester, Stour Valley, Sudbury, and Halstead Railway to Halstead, which Railway by the Colne Valley and Halstead Railway (Extension) Act, 1859, they were authorized to extend to Haverhill, and those Acts authorize that Company and the Company to make Contracts and Agreements for the using of that Railway and Extension, the Regulation of the Traffic on and from the same, and the Tolls and Charges in respect of such Traffic; and whereas by the Eastern Counties Railway Act, 1856, the Capital of the

Company existing on the 31st Day of December 1855 was declared to have been the Sum of 9,596,215*l.*, consisting of Four Classes of preferential Shares and Stock, making together the aggregate Sum of 3,718,717*l.*, and of 5,854,015*l.* in ordinary Stock, and they were by that Act authorized to raise Money by new Shares for the Reduction of their Mortgage Debt, with Power to attach thereto a fixed guaranteed or preferential Dividend not exceeding the yearly Rate of 6*l.* in the 100 on the Amount from Time to Time paid up thereon, and with Power to convert the same into deferred Half Shares and guaranteed Half Shares, and were also authorized to create Debenture Stock; and whereas it is expedient that the Company be authorized to construct a Railway from the Wisbeach Branch of the East Anglian Railway at Walsoken in the County of Norfolk to a Point near the Shore of the River Nene, or Wisbeach River, in the Parish of Wisbeach Saint Peter in the same County, and which Railway will be to a great Extent identical with the aforesaid Extension Line to Wisbeach, and will effect the Objects proposed to have been effected by that Line; and to construct Railways from the Stour Valley Railway to Long Melford in the County of Suffolk, and thence to Clare in the same County, and thence to join their existing Railway in the Parish of Great Shelford in the County of Cambridge; and also a Railway from the said intended Railway at Long Melford to join the Ipswich and Bury Saint Edmund's Line of the Eastern Union Railway at or near Bury Saint Edmund's; and a Railway from the said intended Railways in the Parish of Haverhill in the County of Essex to join in the same Parish the said Extension Railway of the Colne Valley Company as authorized to be constructed; and it is expedient that the Company be authorized to raise additional Money for the Purposes aforesaid; and whereas by the Sudbury and Clare Railway Act, 1860, the Sudbury and Clare Railway Company were incorporated, and were empowered to make a Railway from Sudbury through Melford to Clare, and by that Act (Section 35) the Sum of 5,200*l.*, deposited as therein mentioned, and the Interest or Dividends thereof, were impounded as a Security for the Completion of the Railway by that Act authorized; and whereas no Notice has been given or Contract made for taking Lands, nor has any other Proceeding been had under the Powers of that Act; and whereas the Railway by that Act authorized is identical with Part of the Railways which the Company are by this Act authorized to construct, and it is expedient that the Sudbury and Clare Railway Company should relinquish the Construction thereof, that the Sum so impounded be repaid, and that the Company be dissolved.

Incorporation of Consolidation Acts, §§ 2, 3.

Power to make new Works according to deposited Plans, § 6.

7. The Railways by this Act authorized comprise the following: Description of Works.

A Railway (No. 1) diverging from the Wisbeach Branch of the East Anglian Railways at Walsoken in the Parish of

Walsoken in the County of Norfolk, and terminating in the Parish of Wisbeach Saint Peter, near the Shore of the River Nene or Wisbeach River:

A Railway (No. 2) commencing in the Parishes of Sudbury, Saint Gregory, and Great Cornard in the County of Suffolk, or in One of those Parishes, by a Junction with the Stour Valley Railway, and terminating in the Parish of Long Melford in the County of Suffolk, in or near a Field numbered 48 in that Parish on the Plans deposited as in the Sudbury and Clare Railway Act, 1860, mentioned:

A Railway (No. 3) commencing from and out of the intended Railway No. 2, in the said Parish of Long Melford, at or near the Termination of that Railway as before described, and terminating in the Parish of Clare in the County of Suffolk, in or near a Field called "The Bailey:"

A Railway (No. 4) commencing from and out of the intended Railway No. 3, in the said Parish of Clare, at or near the Termination of that Railway as before described, and terminating by a Junction with the Eastern Counties Railway in the Parish of Great Shelford in the County of Cambridge:

A Railway (No. 5) commencing from and out of the said intended Railway No. 2, in the said Parish of Long Melford, at or near the Termination of that Railway as before described, and terminating in the Parish of St. James's, Bury St. Edmund's, in the County of Suffolk, by a Junction with the Ipswich and Bury St. Edmund's Line of the Eastern Union Railway:

A Railway (No. 6) wholly in the Parish of Haverhill in the County of Essex, commencing from and out of the said intended Railway No. 4, and terminating by a Junction with the said Extension Railway of the Colne Valley Company.

Provisions as to level Crossings, §§ 8 to 10.

Power to alter Engineering Works, § 13.

Authorizing Sale of the Glebe Lands of the Vicarage of Clare for a Rentcharge, § 14.

Regulations as to Junctions with Stour Valley Railway, §§ 15 to 17.

As to Communications with Colne Valley Railway, § 19.

Restricting Interference with River Nene and Roads, § 20.

Company to provide Openings for Flood Waters of River Stour, § 21.

Two Years for compulsory Purchase of Lands, § 23.

As to Lands of Mr. E. Walton, § 24.

Three Years for Completion of Works, § 25.

As to Construction of Line between Haverhill Junction and Cambridge.

27. The Company shall forthwith proceed to the Construction of the Line between the Haverhill Junction and Cambridge, and no Part of the Railways shall be opened until the said Line from the Haverhill Junction to Cambridge shall be opened for the Use of the Public.

New Works included in Agreement and Amalgamation.

28. For the Purposes of the said Agreement of the 6th Day of February 1854, of the Act of 1854, and of the Amalgamation in that Act mentioned, the Railways and Works by this Act authorized shall be deemed Part of the Undertaking of

of the Company, and, except as herein-after provided, that Agreement shall extend to and include the same accordingly as fully and effectually as if those Railways and Works had been specified in the First Schedule to that Agreement, and the gross Receipts from those Railways and Works shall fall into and be deemed Part of the gross Receipts in that Agreement mentioned: Provided always, that the said gross Receipts, including those from the Railways and Works by this Act authorized, shall (after deducting and retaining the Working Expenses as defined in the said Agreement) be appropriated and applied as follows:

First. There shall be appropriated to each of the Companies Parties to that Agreement a Sum sufficient for paying the Interest and Dividend on their respective Mortgage and Bond Debt and Preference Shares and Stock, as existing or authorized before the passing of this Act, but not exceeding as regards the Company Five Sevenths, and as regards each of the said other Companies, One Seventh of the said gross Receipts, after deducting the said Working Expenses:

Secondly. The Company shall deduct and shall be allowed such Sums by way of Interest as herein-after mentioned on the Costs of the Railways and Works by this Act authorized:

Lastly. The Residue shall be divided and apportioned or accounted for between and to the Companies Parties to the said Agreement in such Manner as that (taking into account and debiting them with the Sums appropriated to them as aforesaid) each Company may receive or be credited with such Sum as with the Sums so appropriated to them as aforesaid will make up their Proportion as specified in that Agreement.

Defining the Interest to be allowed.

29. The Sums to be so allowed to and deducted by the Company out of the said gross Receipts by way of Interest on the Cost of the Railways and Works by this Act authorized as aforesaid, shall be all such Sums as the Company from Time to Time pay for Interest on Monies borrowed by them and applied for the Purposes of this Act, and for Interest or Dividend on all Shares and Stock in their Capital, the Produce whereof is applied for the Purposes of this Act, and whether or not such Monies are borrowed or such Shares and Stock created under the Powers of this Act.

Tolls for Railway No. 1.

30. The Company may demand and take upon and in respect of the Railway No. 1, by this Act authorized, the like Tolls, Rates, and Charges as are by the Wisbeach, Saint Ives, and Cambridge Railway Act, 1846, authorized to be taken upon and in respect of the Railways by that Act authorized, and as if the said Railway No. 1 formed Part of those Railways: Provided always, that the maximum Tolls, Rates, and Charges to be taken upon or in respect of the said Railway No. 1 shall not exceed those limited by that Act; and that in respect of the Conveyance of small Parcels not exceeding 56 Pounds in Weight on the said Railway No. 1, the Company shall not demand more than 6*d.* for each such Parcel.

Tolls for the Use of the other Railways by this Act authorized, §§ 31 to 40.

As to Bury Saint Edmund's Traffic.

41. All Express and Parliamentary Trains for the Time being running between London and Sudbury shall, from and after the Opening of the Railway by this Act authorized, be continued as such Express and Parliamentary Trains respectively to and from Bury Saint Edmund's, and the same average Rate of Speed and Fare shall be maintained and paid between Bury Saint Edmund's and Sudbury as shall be maintained and charged between London and Sudbury; and all Merchandise, Cattle, Grain, and heavy Goods of every Description passing between London and Bury Saint Edmund's, viâ Sudbury, shall from and after the Opening of the Railway by this Act authorized be carried at the same average Rate per Mile as for the Time being shall be charged for the like Class of Merchandise, Cattle, Grain, and heavy Goods passing between London and Sudbury by the now existing Railway.

Power to raise further Sum of 600,000*l.* by new Shares, § 44.

Preference Dividend not exceeding 5*l.* per Cent. may be attached to new Shares, § 46.

Preferential Shares not to carry Arrears beyond One Year, § 47.

Saving existing Preference Shares, § 49.

Appropriation and Conditions of new Shares, §§ 50 to 55.

Company may cancel unissued new Shares, § 56.

Extending Provisions as to Cancellation of Shares, and as to Half Shares, § 57.

Power to issue new Shares and Stock in lieu of Shares or Stock cancelled, § 58.

Extending Powers for Conversion of Shares into Stock, § 59.

Certain Clauses of Companies Clauses Act to apply to new Stock, § 60.

Stock to carry Preferences of Shares, § 61.

Power to borrow further Sum of 200,000*l.* on Mortgage, §§ 63, 64.

Sudbury and Clare Railway Company to abandon Undertaking.

66. The Sudbury and Clare Railway Company shall abandon and relinquish the Construction of the whole of the Railway and Works by the Sudbury and Clare Railway Act, 1860, authorized.

Release of Deposit.

67. On the Application of the Persons or the Majority of the Persons named in the Warrant or Order mentioned in the Sudbury and Clare Railway Act, 1860, and by which the said Sum of 5,200*l.* was directed to be paid or deposited as aforesaid, or of the Survivors or Survivor of those Persons, or of the Executors or Administrators of such Survivor, by Petition in a summary Way, the High Court of Chancery may and shall order that the said Sum of 5,200*l.*, or the Funds or Securities in or upon which the same Sum may have been invested, and the Interest or Dividends thereof respectively, be paid or transferred to the Persons or Person so applying, or to any other Persons or Person whom they or he may appoint in that Behalf.

68. Upon

Dissolution of Sudbury and Clare Railway Company.

68. Upon and from the passing of this Act the Sudbury and Clare Railway Company shall exist only for the Purpose of getting in their Assets, paying and discharging their Debts, Liabilities, and Engagements (if any), and winding up their Affairs, and when and as soon as those Objects are fully attained, that Company shall be and hereby is dissolved, and the Sudbury and Clare Railway Act, 1860, shall be and hereby is repealed.

Company to work Colne Valley Railways if required.

69. If at any Time and as often as any Part of the Railways of the Colne Valley Company from the said Chappell Station to Haverhill shall have been completed to the reasonable Satisfaction of Mr. John Fowler, Civil Engineer, or, in case of his Death, to the Satisfaction of an Engineer to be appointed by the Board of Trade, and the Officer appointed for that Purpose by the Board of Trade shall have reported the same fit for public Traffic, the Colne Valley Company shall, by Notice under their Common Seal, require the Company to take their Plant and Stores at a Valuation, and to work permanently those Railways, or the Part thereof which shall have been completed, and shall deliver up Possession thereof, and of all Stations, Buildings, Works, Plant, Stores, and Machinery appurtenant thereto; then the Company shall within One Month after the Delivery of any such Notice pay the Value of such Plant and Stores, to be ascertained by Valuation, to the Colne Valley Company, and shall thereupon enter upon, work, and manage the said Railways, and collect, convey, and conduct, and take all due Means, by a sufficient Number of Trains, to develop the Traffic thereof, and supply all Rolling and Working Stock, and provide and pay all Officers and Servants necessary for that Purpose, and (subject to the Provisions of the Acts relating to those Railways) the Company may, while they so work the same, fix, levy, and collect the Tolls, Rates, and Charges thereon: Provided always, that while the Company so work those Railways the Provisions of those Acts authorizing Tolls and Charges as for Three Miles on those Railways shall not apply to Passengers, Animals, or Goods passing also on the same Journey over any other Railway belonging to or worked by the Company; but in respect of the Transit of such Passengers, Animals, and Goods over the Railways of the Colne Valley Company, only the Tolls and Charges per Mile by those Acts authorized shall be taken.

Terms of working.

70. The Sums to be appropriated and retained by the Company for and in respect of such Working and Management shall, unless otherwise agreed by the Companies, be 50 per Centum of the gross Receipts from the Tolls and Charges on the Railways of the Colne Valley Company; and from and after the Completion and Opening of the Railways of the Colne Valley Company from the said Chappell Station to the Haverhill Junction, and the Opening of the Railways by this Act authorized between Haverhill and Cambridge, the Company shall credit to the Colne Valley Company as Part of the Receipts on the Colne Valley Railway their full Mileage Proportion, calculated upon the shortest Route, of One Half

of all Traffic arising at Cambridge or Haverhill or at any intermediate Station, and passing to and destined for Chappell or Colchester, or any intermediate Station, and of One Half of all Traffic arising at Colchester or Chappell, or any intermediate Station, and passing to and destined for Haverhill or Cambridge, or any intermediate Station, whether such Traffic be carried by the Company over the Colne Valley Railway or by any other Route; and for this Purpose the Company shall, while they work those Railways, keep separate Accounts of all their Receipts and Payments from, for, or on account of the same, and the Secretary and Auditors of the Colne Valley Company may at all reasonable Times and on giving 24 Hours previous Notice inspect those Accounts and take Copies thereof or Extracts therefrom.

Conditions of such Agreements.

71. All Agreements under this Act made between the Company and the Colne Valley Company (except such as might from Time to Time be entered into under the Provisions of "The Railways Clauses Consolidation Act, 1845,") shall be subject to the Approval of the Board of Trade, and no such Agreement shall in any Manner increase or diminish, alter or affect any of the Tolls, Rates, or Charges which the Companies Parties thereto are from Time to Time respectively authorized and entitled to demand or take from any Person, but all other Persons shall, notwithstanding any such Agreement, be entitled to the Use and Benefit of the Railways to which the Agreement relates, on the same Terms and Conditions, and on Payment of the same Tolls and Charges as if the Agreement were not entered into.

Power to Board of Trade to modify Agreement.

72. If at the Expiration of Ten Years from the making of any such Agreement for which the Approval of the Board of Trade is required by this Act, and so from Ten Years to Ten Years, the Board of Trade are of opinion that the public Interests are injuriously affected by any of the Terms or Conditions thereof, the Board of Trade may require the Parties thereto to modify the Terms and Conditions of the Agreement in such Manner as the Board of Trade may think necessary for removing the public Injury, and the Agreement shall be modified accordingly.

Public Notice of Expiration of decennial Period.

73. The Company, previously to the Expiration of each decennial Period, shall give such public Notice as the Board of Trade may prescribe, that the Board is about to enter on such Revision, and will entertain Complaints with a view to the Removal of any Evil resulting to the Public from any such Agreement.

Alternative Provision for facilitating the Traffic of the Colne Valley Company.

74. If and whenever the Company do not work the Railways of the Colne Valley Company, then the Company shall from Time to Time afford all reasonable and proper Facilities by Through Booking and Invoices, the running on of Carriages and Waggons, and otherwise for the Transmission of, and shall transmit on their Railways or any Parts thereof any Traffic which having passed over the Railways or any Part of the Railways of the Colne Valley Company is from Time to Time tendered to the Company for Transmission on their Railways, and also all Traffic which is from Time to Time tendered

tendered to them for Transmission on their Railways or any Part thereof, for the Purpose of being afterwards conveyed on the Railways or any Part of the Railways of the Colne Valley Company.

Terms upon which Facilities are to be afforded.

75. All such Facilities for the Transmission of Traffic shall be afforded by the Company, subject to such Rules and Regulations, and on Payment of such Tolls, Rates, Fares, and Charges, not being in any Case greater than those for the Time being made by the Company against other Parties for the like Traffic, as the Company and the Colne Valley Company from Time to Time agree upon, or, failing Agreement, as shall be settled by Arbitration; and if Complaints shall be made to the Court of Common Pleas that the Company are acting in contravention of the Provisions contained in this and the last preceding Section, it shall be lawful for the said Court to take all such Proceedings, and to make all such Inquiries into the Reasonableness of such Complaints, and to enforce all such Orders against the Company, as might have been made if this Enactment had been contained in the "Railway and Canal Traffic Regulation Act, 1854."

Provision for Arbitration.

76. All Matters in difference between the Company and the Colne Valley Company by this Act directed to be settled by Arbitration, or as to the Construction or Effect of the preceding Enactments or the Performance or Observance or Nonperformance or Nonobservance of any of the Provisions thereof shall, except so far as relates to Complaints made to the Court of Common Pleas, as and when the same arise, be referred to and determined by Arbitration in the Manner provided by "The Railway Companies Arbitration Act, 1859," and as if the Two Companies had agreed to refer the same to Arbitration in accordance with that Act; and the Arbitrator or (as the Case may be) the Arbitrators and Umpire shall be at liberty to make Awards from Time to Time on any Part of the Matters referred to him or them.

Saving Rights of Northern and Eastern Railway Company, § 80.
Saving Rights of Stour Valley Company, &c., § 81.
Saving Rights of the Corporation of Wisbeach, § 82.
Saving Rights of the Crown and the Duchy of Lancaster, § 83.

Cap. ccxxxii.

"The Kilkenny Junction Railway Act, 1861."

Recites that in 1860 the Kilkenny Junction Railway Company were incorporated and authorized to make a Railway from the Waterford and Kilkenny Railway, at Kilkenny, to the Great Southern and Western Railway at Mountrath; proposes to abandon the Portion of their authorized Line between Abbeyleix and the Great Southern and Western Railway, and instead thereof to construct the Railways herein-after described, and to raise additional Capital for that Purpose; recites that in the recited Act Provision was made for working and other Arrangements between the Company

and the Waterford and Kilkenny Railway Company with respect to the Railway by that Act authorized, and it is expedient that like Provision should be made with respect to the Railways by this Act authorized; that Communication between the Railway of the Company and the City and Port of Waterford is afforded by means of the Waterford and Kilkenny Railway, which is worked and managed by the Waterford and Limerick Railway Company, who are joint Owners of a Portion thereof, and it is desirable that the foresaid Provision for working and other Arrangements should be extended to that Company; and that the Waterford and Limerick Railway Company should be empowered to subscribe towards and hold Shares in the Undertaking of the Company.

Incorporation of Consolidation Acts, §§ 2, 3.

Power to abandon Part of authorized Line and Compensation to be made, §§ 4, 5.

Power to make Railways and to acquire Lands, §§ 6 to 8.

Mode of effecting Junctions with the Great Southern and Western Railway, §§ 9 to 12.

Three Years for compulsory Purchase of Land, § 14.

Five Years for Completion of Railways, §§ 15, 17.

Deviated and Branch Railways to be opened simultaneously, § 16.

Tolls, § 18.

Power to create new Shares to the Amount of 60,000*l.*, § 20.

Power for Waterford and Limerick Railway Company to subscribe 40,000*l.* by Shares, with or without a Preference not exceeding 5*l.* per Cent., §§ 21 to 29.

Power to borrow 20,000*l.*, §§ 30 to 32.

Incorporating certain Provisions of Companies Clauses Consolidation Act, § 33.

Extending certain Sections of recited Act relating to the Company and the Waterford and Kilkenny Company to Railways authorized by this Act, § 34.

Power to enter into Traffic Arrangements with Waterford and Limerick Railway Company, §§ 35 to 42.

Cap. ccxxxiii.

"The Metropolitan Railway (Finsbury Circus Extension) Act, 1861."

Recites Incorporation of Company in 1854, with Power to make a Railway from Paddington to the City of London; that by virtue of divers other Acts the Line of Railway has been altered and the authorized Eastern Termination thereof is at or near to Holborn Bridge in the City of London; that by "The London Railway Depôt and Storehouses Act, 1860," a Line of Railway is authorized to be made from the Metropolitan Railway at or near Victoria Street to the intended Meat and Poultry Market at Smithfield; that a Bill is pending in Parliament to authorize the Company to make an improved Communication to such Market; that

it would be of public Advantage if the Metropolitan Railway were extended to or near to Finsbury Circus in the City of London; that it is expedient that the Company should be authorized to construct such Extension, and to raise a separate Capital for that Purpose; and that Powers of Arrangement with other Companies should be conferred.

Incorporation of Consolidation Acts, §§ 2 to 4.
Power to make Works, § 5.
Protecting Property of B. S. R. Adam, § 6.
Corporation Lands not to be taken without Consent, except for the Purpose of tunnelling, § 7.
Company not to take certain Lands required by London, Chatham, and Dover Railway Company, § 8.
Describing Works, § 9.
As to certain Courts to be stopped up, § 10.
Company may raise Moor Lane, § 11.
Respecting Land to be given up by the Company for widening and altering Frontage Line of certain Streets and Places, and that certain other Streets shall not be permanently occupied, § 12.
Five Years for Completion of Works; if not then completed, Deposit to be forfeited, §§ 13, 14.
Questions of disputed Compensation in London to be heard in the Lord Mayor's Court of the City of London, § 15.
Company to restore Street, § 16.
Company to restore Sewers, Drains, &c., § 17.
Drainage Works to be subject to Commissioners, Vestry, or District Board, and their Rights, § 18.
Local Rates to be made good, § 19.
For Protection of Sewers in City of London, § 20.
For Protection of Sewers of Metropolitan and other Boards, § 21.

Penalties and Rates to be recovered.

22. All Expenses, Penalties, and Rates to be levied and recovered by virtue of this Act, by the Commissioners of Sewers of the City of London, shall be levied and recovered in the Manner prescribed by "The City of London Sewers Act, 1848."

Tolls.

23. The Company may demand and take any Tolls and Charges, in respect of the Extension Railway, and the Conveyance of Traffic thereon, not exceeding in respect of Passengers One Half of the Tolls and Charges which, by "The Metropolitan Railway Act, 1854," they are authorized to take for a less Distance than Two Miles, and not exceeding in respect of Horses, Cattle, Carriages, small Parcels, and Goods, One Fourth Part of the Tolls and Charges which they are authorized to demand and take, and the Provisions and Regulations of "The Metropolitan Railway Act, 1854," with respect to Tolls and Charges and with respect to Passengers Luggage, shall in all other respects extend and apply to the Extension Railway.

Trains for Labouring Classes.

24. The Company shall, and they are hereby required, at all Times after the Opening of the Railway, to run a Train every Day in the Week, except Sunday, from Paddington to the

the Station near Finsbury Circus, and One Train from that Station to Paddington, stopping at intermediate Stations, at such Hours in the Morning and Afternoon as may be most convenient for the Labouring Classes residing at or beyond Paddington, or at other Places near the intermediate Stations and having Business in London, at Fares not exceeding One Penny per Passenger for each Journey: Provided, that if in any Period of Six Months it shall be found that less than 100 Passengers on the Average shall have been conveyed by each of such Trains, the Company may apply to the Board of Trade to discontinue the running of such Trains, and the said Board may grant or refuse such Permission as the Circumstances may appear to require; and in the event of their permitting a Discontinuance, the said Board may at any Time order the Resumption thereof by the Company, if it shall seem to the Board desirable so to do, and may also from Time to Time determine the Hours at which the aforesaid Trains shall run.

Power to Company to provide Dwellings for Officers, &c.

25. It shall be lawful for the Company, and they are hereby required to provide on any Lands belonging to them, or which they shall acquire under the Powers of this Act, such Dwelling Houses, Tenements, or Lodgings for any of their Officers, Workmen, or Servants, and their Families, as they may think adequate for the Accommodation of such Officers, Workmen, and Servants, and may permit the same to be occupied accordingly with or without the Payment of any Rent for the same, and on such Terms and Conditions as the Company think fit.

Power to raise Capital by Creation of new Shares.

26. And whereas the estimated Expense of the Undertaking by this Act authorized is 400,000*l.*, and it is expedient that the Company should be authorized to raise additional Sums of Money: Therefore the Company may raise for the Purposes of this Act by the Creation of 50,000 new Shares of 10*l.* each a Capital of 500,000*l.*

Shares to be called Metropolitan Extension Shares.

27. The Shares in that Capital shall be called "Metropolitan Extension Shares," and all Persons who have already subscribed or shall hereafter subscribe towards that Capital, shall be the Proprietors of such a Number of those Shares as represents the Sum so subscribed by them respectively.

Shares not to confer other Rights than hereby granted.

28. Those Shares shall not confer on the Holders thereof any other Rights or Privileges than such as are expressly conferred by this Act.

Existing Shares in Company not to give Right as to Undertaking.

29. The Holders of existing Shares in the Company, or future Shares raised for the Purposes of the Metropolitan Railway, shall not in respect of such Shares have, except as by this Act expressly provided, any Right or Privilege in or with respect to the Undertaking by this Act authorized.

Calls.

30. The greatest Amount of any One Call on the Extension Shares shall be 2*l.*, and the Interval between successive Calls shall be Three Months at least, and not more than Four Fifths of a Share shall be called up in any One Year.

Power to borrow 166,000*l.*, §§ 31, 32.

As to Meetings of Extension Shareholders.

33. All Meetings of the Proprietors of Metropolitan Extension Shares shall, until the Extension Railway is completed, be held separately from the Meetings of the other Shareholders in

in the Company; and such Extension Shares shall not confer any Right to attend or vote at such last-mentioned Meetings until such Completion of the Extension Railway; and all such Meetings of the Proprietors of the said Extension Shares shall be called and held, and the Proprietors shall be entitled to vote thereat, in the Manner prescribed in "The Companies Clauses Consolidation Act, 1845," with respect to the General Meetings of the Company and the Exercise of the Right of voting by the Shareholders, and the Chairman at any such Meeting shall be such Person as is authorized to preside at General Meetings of the Company.

Auditors.

34. The Holders of Extension Shares shall from Time to Time appoint the Auditors to audit the Accounts of the Undertaking by this Act authorized.

Account to be kept of Tolls from Traffic over Extension Railway.

35. An Account shall be kept, to be called "The Extension Railway Revenue Account," to which shall be carried all Monies received for the User of the Extension Railway and Works, after deducting therefrom such Sum as shall have been agreed upon for the Supply of Carriages and locomotive Power, and after Payment thereout of all Taxes, Rates, and Expenses applicable to the Extension Railway and Works hereby authorized, including Maintenance, the Balance of such Extension Railway Revenue Account shall be subject first to the Payment of the Interest of all Mortgages charged on the Extension Railway; secondly, to the Payment of a Dividend upon the Extension Shares every Half Year of 3*l.* 10*s.* per Centum per Annum, or as near thereto as the Remainder of the Balance for the Half Year will thereof admit; and, lastly, after the Payment in the Half Year of such full Dividend of 3*l.* 10*s.*, the Remainder shall be carried to the Credit of the Company, and be divisible with the other Profits of their Undertaking amongst the Shareholders of the Company other than the Holders of Extension Shares.

When Capitals to be amalgamated.

36. When and so soon as for an Average of Three consecutive Years there shall have been paid upon the Shares in the original Capital of the Company a Rate of Dividend amounting to 7*l.* per Centum per Annum, and upon the Extension Shares a Dividend also amounting on a like Average to 7*l.* per Centum per Annum, then and from thenceforth the Extension Shares shall form Part of the general Capital of the Company, and shall participate in the Dividends of the Company in the same Manner as if it had originally formed Part of that Capital; and it shall no longer be necessary to keep any separate Accounts.

As to certain Provisions for Accommodation of Traffic of other Companies.

37. The Provisions of any Acts relating to the Company, which authorize Arrangements between the Company and the Great Western, Great Northern, and London, Chatham, and Dover Railway Companies respectively, in relation to the User of the Metropolitan Railway, the providing Accommodation for the Traffic thereon of any of those Companies, and the Payments to be made in respect thereof, shall extend and apply to the Extension Railway as well as the Metropolitan Railway; and if by virtue of any such Acts the Consent of the Shareholders of the Metropolitan Railway shall be required

to

to any Arrangement, such Consent shall, if and so far as such Arrangement relates to the Extension Railway, until the Amalgamation of the Capital of the Extension Railway with the Capital of the Metropolitan Railway, be given by the Holders of Extension Shares, at a Meeting to be convened for the Purpose.

Cap. ccxxxiv.

"The West London Extension Railway Act, 1861."

Recites that by "The West London Extension Railway Act, 1859," the London and North-western Railway Company and the Great Western Railway Company were incorporated into a Company by the Name of "The West London Extension Railway Company," for the Purposes of making and maintaining the Railways, Dock, and Works by that Act authorized, and the carrying of that Act into execution; that the Capital of the Company was declared to be 300,000*l.*, which was to be contributed by the North-western Company, the London and South-western Railway Company, and the London, Brighton, and South Coast Railway Company, but with an Option for the Great Western Company (which Option they have exercised) to contribute Part of the Capital; and it was thereby provided that the North-western Company, the Great Western Company, the South-western Company, and the Brighton Company should be entitled to use and work over the Railways, Docks, and Works by the said Act authorized; that by the said Act it was provided that if the Great Western Company contributed to the Capital, then the Four Companies might and should contribute to the Capital in the following Proportions; (namely,)

	£
The North-western Company -	- 100,000
The Great Western Company -	- 100,000
The South-western Company -	- 50,000
The Brighton Company -	- 50,000
	£300,000

that it is expedient that the Capital of the Company should be increased, and that the additional Capital should be contributed by the Four Companies, in the same relative Proportions as the original Capital; that it has been found that the Dock or Basin and Works connected therewith, authorized to be constructed by the said Act, could be more conveniently constructed on a Site distant about 14 Chains from the Site shown on the deposited Plans referred to in the said Act, and it is expedient that the Construction of a Dock or Basin, and Works connected therewith on such altered Site, should be authorized, and that the Construction of the Dock or Basin and Works, authorized by the said Act, and also of a Branch Railway authorized by the same Act, and intended to communicate with the said Dock or Basin, should be abandoned; also that the Company should

be empowered to make a Road in the Parish of Saint Mary Battersea, and to acquire for the Purposes of their Undertaking additional Lands, and to make, by means of a Tunnel or Archway under the Wandsworth Road, a Communication between certain of the Lands which the Company are authorized to acquire under the Powers of this Act, and the Lands on the Northerly Side of the said Road which the Company are now empowered to purchase; also to stop up and discontinue certain Thoroughfares.

Incorporation of General Acts, §§ 2, 3.

Additional Capital.

4. The additional Capital of the Company under this Act shall be 105,000*l.*, to be contributed as by this Act provided, and not to be divided into Shares.

Contributions by the Four Companies.

5. The Four Companies may and shall contribute the additional Capital under this Act in the following Proportions; that is to say,

	£
The North-western Company -	35,000
The Great Western Company -	35,000
The South-western Company -	17,500
The Brighton Company - -	17,500
	£ 105,000

Company may make Calls on the Four Companies, § 7.
Limit of Calls and Mode of enforcing them, §§ 8 to 12.
Power for the Four Companies to raise Money for Contributions by Shares or Stock, § 12.
Power to create Shares or Stock, with a Preference not exceeding 4*l.* 10*s.* per Cent., §§ 13 to 17.
Power to borrow 35,000*l.*, §§ 18 to 20.
Power to take Lands and to construct Works authorized by Act, §§ 21, 22.
Three Years for Purchase of Lands, § 23.
Company to purchase Messrs. Nowell and Robson's Interest in Wharf within Two Years if required, § 24.
Admiralty Provisions, § 25, and §§ 29, 30.
Plans of Works affecting Shore or Bed of River Thames to be approved of by Conservators of the River Thames, §§ 26 to 28.
Saving Rights of the Conservators of the River Thames, § 25.
Company not to take Gravel, &c. from River without Consent of the Conservators, § 26.
In the event of the Abandonment of the Railway the Turnpike Road to be reinstated, § 31.
Regulating the Crossing under the Surrey and Sussex Roads, §§ 32 to 34.
For Protection of Mains, &c. of Southwark and Vauxhall Water Company, §§ 35 to 38.
As to certain Lands in the Parish of Fulham, § 39.
Company to abandon Construction of authorized Dock and Branch Railway, and Compensation to be made, §§ 40, 41.
Not to affect Rights of Lord Kensington, § 42.

Provisions of recited Act in reference to the Dock and Works thereby authorized, to apply to the Dock and Works authorized by this Act, § 43.
Repeal of Section 162 of recited Act, § 44.
Rates to be charged for Use of Cranes, Weighing Machines, &c., § 45.
Right of Passage along a certain Road extinguished, § 46.
Power to abandon authorized Diversion of Sheep Cut Lane, and to stop up and discontinue Part thereof, § 47.
Provision for Station at Hammersmith, § 48.

Cap. cxxxv.

"Brecon and Merthyr Railway Extensions Act, 1861."

Recites Incorporation of the Brecon and Merthyr Company in 1859, with a Capital of 80,000*l.*, and with Power to borrow 26,600*l.*, for the Purpose of making certain Railways and a Stone Road with a Bridge over the River Usk; that by their Extensions Act, 1860, the Company were empowered to relinquish the Construction of Part of the authorized Main Line and of the whole of the said Stone Road and Bridge, and in lieu thereof to construct other Railways in extension of the authorized Main Line, and to complete their Communication with the Town of Brecon, and to raise further Sums not exceeding 50,000*l.* by ordinary Shares, and 16,600*l.* by borrowing; proposes to construct the new Railways in extension of their Undertaking herein-after described, and to raise further Money for the Execution of the same; also to enable the Company and the Rhymney Railway Company to enter into Working and Traffic Arrangements; recites that by the "Hay Railway Act, 1860," it was enacted that so much of the Hay Railway and Property of the Hay Railway Company as the Company required and were authorized to take for the Construction of their Railway and Works should, upon Payment as therein-after prescribed, be transferred and conveyed to the Company by the Hereford, Hay, and Brecon Railway Company, and that the Price to be paid by the Company for such Transfer and Conveyance should in case of Difference be determined in manner provided by "The Lands Clauses Consolidation Act, 1845," and that it should be lawful for the Company to convert such Part of the Hay Railway and incorporate the same into their Railway; that under the Provisions of that Act, the Hay Railway therein mentioned may not be transferred to or become the Property of the Hereford Company until some Time after 6th June 1862, and Doubts are entertained whether before such Transfer to the Hereford Company, the Transfer to the Company of the Part of the Hay Railway in the above-recited Enactment can be legally carried into effect, and it is expedient that the Company should be empowered to enter upon the said Part of the Hay Railway, and to convert the same at an earlier Period.

Incorporation of Lands and Railways Clauses Acts, §§ 2, 3.
Power to make Railways, § 4.

Providing for Communication with Taff Vale Railway, § 6.
Power to alter Engineering Works, § 8.
Communications with Rhymney Railway, how to be made, §§ 9 to 12.
For Protection of Lands and Works of the Dowlais Iron Company, § 13.
For the Protection of their Ponds and Property, §§ 14 to 17.
Provisions as to the Brythdir Estate, § 19.
Limiting Times for compulsory Purchase of Land, § 21.
Limiting Time for Completion, §§ 22, 23.
Provision for Case of Rhymney Railway Company constructing a Line equivalent to secondly described Railway, § 24.
Power to take Tolls, § 25.
Equal Rates to be charged in respect of Traffic passing to or from Taff Vale and Rhymney Railways, § 26.
Tolls limited in respect of certain Traffic passing for a less Distance than Three Miles over the Railway of the Company, § 27.
Interchange of Traffic between Railways of Company and Rhymney Railway Company, §§ 29 to 31.
Power to create new Shares to the Amount of 130,000*l.*, §§ 32 to 36.
New Lines and Capital to constitute a separate Undertaking and Capital, § 37.
Terms and Conditions of new Shares, §§ 38 to 40.
For keeping separate Accounts, and for ascertaining divisible Profits, § 41.
Power to borrow 43,300*l.*, § 42.
Charges under other Acts not to attach on new Lines, § 43.
Application of Monies raised under this Act, § 44.
Incorporating certain Provisions of Companies Clauses Consolidation Act, § 45.
Power for Company and Rhymney Railway Company to make Traffic Arrangements, §§ 46 to 52.
Amending the 29th Section of the Hay Railway Act, 1860, § 53.
Purchase Money may be paid to either Company by Agreement, § 54.
The 85th and following Sections of Lands Clauses Consolidation Act, 1845, extended to Hay Railway, § 55.
Hay Railway Act, 1860, to cease to bind Hereford Company in respect of Portions of Hay Railway transferred to or entered on by Company, § 56.
Saving Rights of Hereford Company and Hay Company, § 57.

Cap. ccxxxvi.

"The Bristol Channel Pilotage Act, 1861."

Recites that by 47 Geo. 3. Sess. 2. c. xxxiii. all Vessels sailing, navigating, or passing up, down, or upon the Bristol Channel to the Eastward of Lundy Island, except Coasting Vessels and Irish Traders, should be piloted, conducted, and navigated by Pilots duly authorized and licensed by the Mayor, Burgesses, and Commonalty of the City of Bristol by Warrant under their Corporate Seal, and that the Master,

Owner, or Owners of every Ship or Vessel which should be navigated in the Limits aforesaid without a Pilot licensed as aforesaid should forfeit double the Sum which would have been demandable for the Pilotage of such Ship or Vessel, together with 5*l.* for every 50 Tons Burthen of such Ship or Vessel; and that by "The Ely Tidal Harbour and Railway Act, 1856," (as amended by "The Penarth Harbour, Dock, and Railway Act, 1857,") a separate System of Pilotage has been authorized for the Harbour of Penarth; and owing to the great Extension of Trade in the several Ports of Cardiff, Newport, and Gloucester since the passing of the said Act it is expedient that a separate System of Pilotage should be established in the Bristol Channel in connexion with those respective Ports, under the Supervision of Local Boards for each of such Ports.

10 & 11 Vict. c. 16. incorporated.

2. "The Commissioners Clauses Act, 1847," except so much thereof as relates to the Qualification of Commissioners, the Election and Rotation of Commissioners, and with respect to Mortgages to be executed by Commissioners, shall be incorporated with and form Part of this Act, and each Board appointed under the Authority of this Act shall be deemed to be the Commissioners therein referred to.

Interpretation of Terms.

3. In the Construction of this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction:

"The Board" shall mean the Pilotage Board established by this Act for the Ports of Cardiff, Newport, or Gloucester, as the Case may be:

"The Mayor" shall mean the Mayor for the Time being of the City of Gloucester or the Borough of Cardiff or the Borough of Newport, as the Case may be:

"The Borough" shall mean the Borough of Cardiff or the Borough of Newport, as the Case may be, as the same for the Time being exist for Municipal Purposes:

"The Port of Cardiff" shall mean the Customs Port of Cardiff for the Time being, except the Harbour of Penarth, so long as there shall be a separate Pilotage Authority for that Harbour:

"The Port of Newport" shall mean the Customs Port of Newport for the Time being:

"The Port of Gloucester" shall mean the Customs Port of Gloucester for the Time being, and the River Wye to Chepstow Bridge:

The Word "Vessel" shall mean any Ship or Vessel, whether navigated by Steam or otherwise, not being a Coasting Vessel or an Irish Trader:

The Word "Master" when used in relation to any Vessel shall mean any Person, whether the Owner, Master, or other Person, lawfully or de facto having or taking the Command, Charge, or Management of the Vessel for the Time being:

The

The Word "Owner" when used in relation to any Vessel shall include any Part Owner, Consignee, or Mortgagee in possession thereof:

The Word "Pilot" shall mean any Person licensed under this Act to act as a Pilot for piloting Vessels into or out of the Port for which such Licence has been granted.

So much of Sect. 9 of 47 G. 3. Sess. 2. c. xxxiii. as to Ports of Cardiff, Newport, and Gloucester repealed.

4. From and after the First Wednesday in the Month of January next after the passing of this Act, so much of the 9th Section of the said Act of the Second Session of the 47th Year of King George the Third, Chapter 33, as relates to Vessels navigating or passing up or down the Bristol Channel, bound to or from either of the said Ports of Cardiff, Newport, or Gloucester, shall be and the same is hereby repealed.

Cardiff Board.

5. On the 9th Day of November 1861, or within One Week thereafter, a Pilotage Board shall be appointed for the Port of Cardiff, such Board to consist of the Persons following; that is to say, the Mayor of Cardiff for the Time being, Three Persons to be appointed by the Mayor, Aldermen, and Burgesses of the Borough of Cardiff, One Person to be appointed by the Company of Proprietors of the Glamorganshire Canal Navigation, Three Persons to be appointed by the Owners for the Time being of the Bute Docks, and in case the Penarth Harbour, Dock, and Railway Company shall under the Power for that Purpose herein-after contained consent that the Pilots for the Port of Cardiff shall also be the Pilots for the Harbour of Penarth, then Two other Persons to be appointed by such Company.

Newport Board.

6. On the 9th Day of November 1861, or within One Week thereafter, a Pilotage Board shall be appointed for the Port of Newport, such Board to consist of the Persons following; (that is to say,) the Mayor of Newport for the Time being, Three Persons to be appointed by the Mayor, Aldermen, and Burgesses of the Borough of Newport, One Person to be appointed by the Newport Dock Company, and Three Persons by the Newport Harbour Commissioners.

Gloucester Board.

7. On the 9th Day of November 1861, or within One Week thereafter, a Pilotage Board shall be appointed for the Port of Gloucester, such Board to consist of the Persons following; (that is to say,) the Mayor of Gloucester for the Time being, Two Persons to be appointed by the Mayor, Aldermen, and Citizens of the City of Gloucester, and Four Persons appointed by the Committee of Management for the Time being of the Gloucester and Berkeley Canal Company.

Pilotage Districts. Cardiff District.

8. The District over which the Cardiff Board shall have Jurisdiction shall be the Port of Cardiff and that Portion of the Bristol Channel which lies Eastward of Lundy Island up to and including King Road and the River Rhymney to Rhymney Bridge:

Newport District.

The District over which the Newport Board shall have Jurisdiction shall be that Portion of the Bristol Channel which lies Eastward of Lundy Island up to and including King Road, and the River Usk as far as the Caerleon Bridge:

Gloucester District.

The District over which the Gloucester Board shall have Jurisdiction shall be that Portion of the Bristol Channel which lies Eastward of Lundy Island, including the River Severn to the City of Gloucester, and the River Wye to Chepstow Bridge.

Appointment of One Member of the Board by any Corporation, &c.

9. When One Member only of a Board is by this Act authorized to be appointed by any Corporation, Company, or Person or Body of Persons, such Member shall be entitled to remain in Office for Two Years, and at the Expiration of such Period the Person appointed to succeed him shall come into Office, and shall in like Manner be entitled to remain in Office for a like Period of Two Years.

Appointment of Two Members of the Board by any Corporation.

10. When Two Members only of a Board are by this Act authorized to be appointed by any Corporation, Company, or Person or Body of Persons, each of such Members shall (except in the Case of the First Appointment) be entitled to remain in Office for Four Years, and at the Expiration of such Time the Person appointed to succeed him shall come into Office, and shall in like Manner be entitled to remain in Office for a like Period of Four Years: Provided always, that the Member who shall have been longest in Office shall be the first to retire therefrom; and further, that in the Case of the First Appointment of such Two Members One of such Members, to be determined by Ballot by themselves, shall remain in Office for the Period of Two Years only, at the Expiration of which Time a Person shall be appointed to succeed him as if he had been in Office for the Period of Four Years.

Appointment of Three Members of the Board by any Corporation.

11. When Three Members only of a Board are by this Act authorized to be appointed by any Corporation, Company, or Person or Body of Persons, each of such Members shall (except in the Case of the First Appointment) be entitled to remain in Office for Three Years; and at the Expiration of such Time the Person appointed to succeed him shall come into Office, and shall in like Manner be entitled to remain in Office for a like Period of Three Years: Provided always, that the Member who shall have been longest in Office shall be the first to retire therefrom; and further, that in the Case of the First Appointment of such Three Members One of such Members, to be determined by Ballot amongst themselves, shall remain in Office for the Period of One Year only, and another of such Members, to be determined in like Manner, shall remain in Office for Two Years only, at the Expiration of which respective Times a Person shall be appointed to succeed those Members respectively as if they had been in Office for the Period of Three Years.

Appointment of Four Members of the Board by any Corporation, &c.

12. When Four Members only of a Board are by this Act authorized to be appointed by any Corporation, Company, or Person, or Body of Persons, such Members shall (except in the Case of the First Appointment) be entitled to remain in Office for Four Years, and at the Expiration of such Time, Two of such Members, being those who shall then have been longest in Office, shall retire therefrom, and the Two Persons who shall be appointed to succeed them shall thereupon come into Office,

Office, and shall in like Manner remain in Office for a like Period of Four Years: Provided always, that in the Case of the First Appointment of such Four Members Two of such Members, to be determined by Ballot amongst themselves, shall remain in Office for the Term of Two Years only, at the Expiration of which Time Two Persons shall be appointed to succeed them, as if such Two retiring Members had been in Office for the Period of Four Years.

Period for appointing Members of Board.

13. Whenever any Corporation, Company, Person, or Body of Persons is by this Act authorized or required to appoint One or more than One Person to be a Member of a Board, such Appointment shall, except for the Purpose of filling a casual Vacancy, be made on or within One Week after the 9th Day of November in the Year in which such Appointment is authorized or directed to be made.

Retirement of Members.

14. Every Person ceasing to be a Member of a Board by Efflux of Time shall be deemed to have retired on the 9th Day of November in the Year in which he shall so retire, unless from any Cause whatsoever no Appointment shall have been made of a Person to succeed him, in which Case he shall continue in Office until a Successor shall be appointed.

Quorum of a Board to be Three, § 15.
Members re-eligible, § 16.
Casual Vacancies, § 17.
Removal of Members, § 18.
Notice of Appointment of Members to be given to Clerk of the Board, § 19.
Appointment of Members of Council of a Borough to be by Resolution, § 20.

Pilots for Penarth and Cardiff may be formed into One Body.

21. It shall be lawful for the Penarth Harbour, Dock, and Railway Company at any Time after the passing of this Act to agree with the Cardiff Board that one and the same Body of Persons shall act as Pilots for the Port of Cardiff and for the Harbour of Penarth; and thereupon all Persons who may have been licensed by the said Company shall for all Intents and Purposes be deemed to have been licensed by the Cardiff Board, and thenceforth and at all Times thereafter the said Company shall be authorized to appoint Two Persons to be Members of the Cardiff Board, and the Powers granted to the said Company by "The Ely Tidal Harbour and Railway Act, 1856," in respect of Pilots shall cease to be exercised.

Two or more of the Boards may unite in appointing One Set of Pilots.

22. Any Two or more of the Boards may at any Time agree among themselves, and with any other Pilotage Authority, to have a joint Pilotage Service for their respective Ports instead of a separate Pilotage Service for each of such Ports; and such Boards shall thereupon appoint some of the Members of such Boards to act as a Joint Committee, and to consist of such Number of Persons, and to exercise such of the Powers as might be exercised by such Boards, and generally to act in such Manner as such Boards shall from Time to Time direct.

Appointment of Pilots.

23. Subject to the Provisions of "The Merchant Shipping Act, 1854," the Board may from Time to Time license and appoint such Number of proper Persons to act as Pilots within

the Pilotage District, and to or from the Port for which such Board may have been appointed as they may think necessary, and may remove or suspend the Licence of any such Pilot at their Pleasure, and may establish such Rates and Fees to be levied and paid for the Risk, Trouble, and Labour of such Pilots as to such Board shall from Time to Time seem just and reasonable; and if any Person shall pretend or hold himself out to be a licensed Pilot, or in any Manner act as a Pilot without having been so licensed, or after his Licence may have been revoked or suspended, he shall be liable to a Penalty of not exceeding 50*l.*

Defining Rights of present Bristol Channel Pilots.

24. All Bristol Channel Pilots duly licensed before the 24th Day of July 1861 to pilot Vessels within the same Channel shall, notwithstanding anything in this Act contained, be authorized to pilot the like Vessels within the same Limits and in the same Manner within and in which they might have lawfully piloted the same before the passing of this Act, without any Licence from any of the Boards by this Act established; and it shall also be lawful for any of the Boards by this Act established and they are hereby required by a supplemental Licence to authorize any such Bristol Channel Pilot to pilot any Vessels within the Port or Ports respectively under the Control of such Board, provided such Pilots shall have applied before the 1st Day of August 1862 for such Licence, and shall pass the necessary Examination in respect of the further Limits within which he is to be so licensed to act, and upon Payment of such Fee, if any, as the Local Board shall lawfully prescribe.

Such Pilots to be subject to Byelaws, &c.

25. The said Bristol Channel Pilots shall, with respect to their Pilotage of all Ships bound to or from the Ports of Newport, Cardiff, and Gloucester, be subject to the Government and Regulations of the Board of the Port to or from which any such Vessel shall be bound, and to all Byelaws, Rules, and Regulations duly issued by it, and to such Penalties as may be duly annexed to the Breach of the said Byelaws, Rules, and Regulations, in the same Manner and to the same Extent in and to which Pilots licensed by such Board are subject thereto.

Defining Rights of present Pilots for Cardiff, Newport, and Gloucester.

26. The Pilots who on the 24th Day of July 1861 were licensed for the several Ports of Cardiff, Newport, and Gloucester shall, notwithstanding the passing of this Act, continue Pilots for the Ports for which they are severally licensed; and if on Examination by the Pilotage Authority having Jurisdiction over such Port such Pilots or any of them shall be found competent to pilot Ships navigating the Bristol Channel, such Pilotage Authority may and is hereby required to grant to each of the Pilots so found competent a Licence to act as a Pilot for the Pilotage District over which such Board shall have Jurisdiction.

Board to be a "Pilotage Authority," for Purposes of Act.

27. For the Purposes of this Act each Board shall be deemed a "Pilotage Authority" within the Meaning of "The Merchant Shipping Act, 1854," and all the Powers by that Act conferred on "Pilotage Authorities" shall be vested in each Board appointed under the Authority of this Act.

28. The

28. The Board shall not be liable or responsible for any Accident, Loss, or Damage which may arise to any Vessel, or to the Cargo of any Vessel, in consequence of the Employment of any Pilot licensed by the Board, but the Pilot so employed shall be answerable for any wilful or culpable Neglect or Mismanagement. The Board not responsible for Damage done by Pilots.

29. The Master of every Vessel bound from any of the Ports of Cardiff, Newport, or Gloucester may, if he shall think it expedient so to do, require the Assistance of any Pilot licensed by the Board for that Port, and on being so required any Pilot shall take on himself the Charge of such Vessel, and shall pilot the same for such Distance within the Pilotage District for which he may be licensed as the Master of such Vessel shall require, and any Pilot who shall in any such Case refuse to pilot such Vessel to any such Distance as aforesaid shall forfeit his Right to receive any Sum of Money for piloting such Vessel, and may also, at the Discretion of the Board by whom he may have been licensed, be suspended or deprived of his Licence. Distance to which outward bound Vessels are to be piloted.

30. The Pilot in charge of any Inward-bound Vessel shall cause the same, if need be, to be properly anchored or moored in the Port of Cardiff, Newport, or Gloucester, as the Case may be, and shall, if required by the Master thereof, also pilot the same, without any extra Charge for so doing, into any Dock, Harbour, or Basin within such Port, save and except the Gloucester and Berkeley Canal, above the tidal Basin at Sharpness Point. Places to which Vessels are to be piloted inwards.

31. The Master of every Vessel bound for any of the Ports of Cardiff, Newport, or Gloucester may, so soon as such Vessel shall have passed Eastward of Lundy Island, if he shall think it expedient so to do, require the Assistance of any Pilot licensed by the Board of the Port to which he is bound whose Boat may be within Reach of Signal, or if there shall be no such Boat within Reach of Signal, then such Master may require the Assistance of any other duly licensed Pilot whose Boat may be within Reach of Signal; and if any Pilot after being personally required, or after a proper Signal shall have been made by such Master, shall refuse to take charge of such Vessel, or in case such Vessel cannot be boarded without imminent Danger shall refuse to lead the Way with his Boat, or shall without reasonable Cause refuse to afford any extraordinary Assistance required by the Master of any Vessel in Distress from the Boat of such Pilot or the Crew thereof, such Pilot shall for every such Offence be liable to a Penalty of not exceeding 10*l.*, and may at the Discretion of the Board be deprived of his Licence: Provided, that notwithstanding anything in "The Merchant Shipping Act, 1854," contained, it shall not be obligatory on the Master of any Vessel bound to or from any of the said Ports of Cardiff, Newport, or Gloucester, other than a Ship carrying Passengers, to employ a Pilot so long as such Vessel shall be navigated by the Master or any Officer thereof. Pilots refusing to conduct Vessels or assist Vessels in Distress to forfeit Ten Pounds and lose their Licence.

32. In case any Pilot under the Authority of the preceding Clause shall have taken charge of any Vessel not bound to the Pilots may be superseded in certain Cases

and Pilotage Rate apportioned by Board.

Port to which he is licensed, he shall or may at the Request of the Master of such Vessel be superseded by any Pilot of such Port, and the Pilotage Rate payable in respect of such Vessel shall be divided between the Two Pilots in such Proportions as shall be determined by the Board of the Port to which such Vessel is bound.

Pilots leading the Way in any Vessel to be entitled to Pilotage.

33. In case any Vessel shall be in want of and unable to obtain a Pilot, any Pilot of the same Pilotage Service on board any other Vessel may lead the Way for and conduct the Vessel so in want of a Pilot; and the Master of any Vessel which shall be so piloted or conducted by any Pilot leading the Way in such other Vessel shall pay the same Rates of Pilotage as if the Pilot had actually been on board the Vessel of such Master.

Masters of Vessels to give Pilots a true Account of the Draught of Water of their Vessel, and Pilot authorized to admeasure.

34. The Master of every Vessel shall on Demand give to the Pilot employed in piloting the same a true Account of the Draught of Water of such Vessel, and in case such Pilot shall suspect the Truth of such Account he may cause such Vessel to be admeasured in order to find the true Draught of Water which such Vessel may then draw; and if it shall appear that the Master had artfully and fraudulently given a false Account of the Draught of Water, such Master shall not only pay by way of Damages a Sum equal to double the Amount of Pilotage Rates payable in respect of such Vessel, but shall also pay all the Expenses incurred by the Pilot in such Admeasurement, together with a Fine, at the Discretion of the Board, of not exceeding 10*l.*

Rates of Pilotage.

35. It shall be lawful for the Board to levy, demand, and receive from the Master or Owner or Consignee of every Vessel coming into or going out of the Port for which such Board may have been appointed, and who shall have required and obtained the Assistance of a Pilot, such reasonable Rates for Pilotage as may from Time to Time be provided by the Byelaws to be made by such Board for such Purpose; and such Board shall at all Times maintain an efficient Staff of Pilots.

Reward for Pilots assisting Ships in Distress to be settled by the Board.

36. In case any Vessel shall be met with in Distress by any Pilot, and shall stand in need of any extraordinary Assistance from a Pilot Boat or the Crew thereof, the Compensation to be made by the Master of such Vessel shall be settled by the Board according to the Circumstances of the Case, and every Agreement, if any, for such extraordinary Assistance made by the Pilot shall be absolutely void.

No Claim to be made by any Pilot for Salvage Services without the Consent of the Board.

37. Whereas it is expedient that Pilots should be prevented from neglecting or performing improperly or negligently their respective Duties by the Expectation of obtaining Rewards for Salvage of Property: Therefore no Claim whatever shall, at any Time or on any Account be made or be attempted to be made, either directly or indirectly, and either by any legal Process or otherwise, by any Pilot upon any Master or Owner of any Vessel, or any other Person, for or in respect of any Salvage Services rendered to such Vessel, or to any of the Appurtenances or to any Portion of the Cargo thereof by such Pilot, or by any Pilot Boat, or any of the Crew thereof in

which such Pilot shall serve or have any Interest, until the Consent of the Board by whom such Pilot may have been licensed, to be evidenced by some Writing under the Hand of the Secretary of such Board, shall, upon the Production of such Statements and Evidence as they may require, have been obtained for such Pilot to make a Claim for such Salvage Services.

Collector of Pilotage Rates and Application thereof.

38. The Board may appoint, and may from Time to Time remove, a Person to collect the Pilotage Rates, and (subject to any Alteration to be made by the Board) the Board shall once in every Month pay over to each Pilot the Amount received by the Collector during the preceding Month on behalf of such Pilot, after deducting therefrom a Poundage not exceeding 1*s.* in the Pound, which shall be paid over to and shall form a Pilot Fund for the Port for which such Board may have been appointed.

Application of Fund.

39. The Pilot Fund of each Port shall be chargeable in the first instance with such Expenses as the Board appointed for such Port may duly incur in performance of their Duties in respect of Pilots and Pilotage, and after Payment thereof shall, subject to any Alteration which may be made by such Board, be administered by them for the Benefit of such of the Pilots licensed by such Board as may become incapacitated for the Performance of their Duty by reason of Age, Infirmity, or Accident, and for the Benefit of the Widows and Children of Pilots licensed by such Board.

Saving Rights of Marquis of Bute, § 40.
Saving Rights of the Burnham Tidal Harbour Company, § 41.
Saving Rights of Penarth Company, § 42.

Cap. ccxxxvii.

"The Colne Valley and Halstead Railway Amendment Act, 1861."

Recites Incorporation of Company in 1856, with Power to make a Railway from the Chappel Station of the Colchester, Stour Valley, Sudbury, and Halstead Railway, to Halstead in Essex, and that by their Act of 1859 they were authorized to extend their Railway from Halstead to Haverhill; that the first-mentioned Railway has been made and opened to the Public, and the said Extension to Haverhill is being constructed; that they have Powers by the said firstly recited Act to raise 40,000*l.* by Shares, and 13,333*l.* by borrowing, and by the secondly recited Act 80,000*l.* by Shares and 26,000*l.* by borrowing; proposes to raise further Sums of Money by Shares and by borrowing.

Power to cancel forfeited Shares, and accept Surrenders of Shares, §§ 1 to 3.

Power to Company to raise additional Capital of 30,000*l.*, §§ 4 to 7.

6*l.* per Cent. Preference may be attached to new and unissued Shares, §§ 8 to 11.

Power to borrow 10,000*l.*, §§ 12, 13.
Certain Provisions of Companies Clauses Act incorporated, § 14.

Cap. ccxxxviii.

"The Dublin General Markets Act, 1861."

Recites that the present Markets in the City of Dublin for the Sale of Meat, Fish, Butter, and other Agricultural Produce and Provisions are insufficient, and that it is expedient to erect a new Market or Markets and Slaughter-houses, with other Offices and Buildings; that the existing Markets, and certain Lands and Houses adjacent thereto, would form suitable Sites for the Purposes aforesaid; that it is expedient that the Right Honourable the Lord Mayor, Aldermen, and Burgesses of Dublin should be enabled to purchase such Portions of the said Lands and Buildings in the said Parishes of Saint Mary and Saint Bridget as might not be requisite for the Purposes of the said Company, and which would be sufficient for widening and improving Exchequer Street and Cole's Lane respectively, and converting the latter into a more direct Approach to Dominick Street and the Broadstone Station of the Midland Great Western Railway Company of Ireland; and that the said Lord Mayor, Aldermen, and Burgesses of Dublin should be enabled to purchase the said intended Markets and Market Places, and all Rights, Powers, and Privileges to be conferred by the said Act.
Incorporation of Consolidation Acts, § 1.
Limits of Act, § 3.
Incorporation of Markets Company, with a Capital of 75,000*l.*, and Power to borrow 18,750*l.*, §§ 5 to 9.
Meetings; Directors, §§ 10 to 15.
Power to construct Market Places, §§ 16, 17.
Regulations as to stopping and breaking up Streets, &c., §§ 19 to 22.
Four Years for Completion of Works, § 24.
Three Years for compulsory Purchase of Lands limited, § 25.
Power to enlarge Market Places from Time to Time, § 26.
Power to take existing Markets, making Compensation, § 27.
Power to Owner of private Market to continue the same, § 28.
Present Markets to be removed as soon as new Markets completed, § 29.
All Tolls, &c. abolished, and the Tolls, &c. in Schedule (A.) to this Act substituted for them, § 30.
When new Market Place opened Markets Company may remove Stalls from public Places, § 31.
After new Market is opened no Person, except a licensed Hawker, &c. to sell except in the Market Place or his own Dwelling, § 32.
Saving Privileges of Lord Mayor and Corporation, § 33.
No Byelaws to be made under the Authority of this Act to come into Operation without the Consent of the Lord Mayor or Recorder of Dublin for the Time being, § 34.

Provisions for General Acts as to Slaughter-houses, § 36.
Power to grant Leases of Stalls, § 37.
Power to levy general Market Tolls as in Schedule (A.), § 38.
Wholesale Market Tolls as in Schedule (B.), § 39.
Weighing and measuring Tolls as in Schedule (C.), § 40.
Cart-weighing Tolls as in Schedule (D.), § 41.
Slaughter-house Tolls as in Schedule (E.), § 42.
Tolls to be payable by successive Occupiers of Shops, § 43.
Power for the Corporation to purchase such Lands and Buildings as are not required for the Purposes of the said Company, § 44.
Power for the Corporation to purchase Markets, § 45.
Schedules (Tolls).

Cap. ccxxxix.

"The London, Chatham, and Dover Railway (various Powers) Act, 1861."

Preamble recites that by "The East Kent Railway Act, 1853," a Company was incorporated by the Name of "The East Kent Railway Company," (but now by virtue of the "London, Chatham, and Dover Railway Act, 1859," styled "The London, Chatham, and Dover Railway Company,") for making a Railway from Strood to Canterbury, with Branches to Faversham Quays and Chilham; that by "The East Kent Railway (Extension to Dover) Act, 1855," the Company were authorized to extend their Line of Railway from Canterbury to Dover, and to make certain Branch Railways and Tramways, and to raise the additional Capital of 500,000*l.* by the Issue of new Shares, with a Preference or Priority in Payment of Dividend not exceeding the Rate of 5*l.* per Centum per Annum on the Amount for the Time being paid up thereon; that by "The East Kent Railway (Western Extension) Act, 1858," the Company were empowered to make a Railway from their Bridge over the River Medway to join the Mid-Kent Railway (Bromley to Saint Mary's Cray), and called "The Western Extension;" and by the Western Extension Act the Company were authorized to create new Shares, with a Power (which they exercised) to attach thereto preferential Interest or Dividend not exceeding the Rate of 6*l.* per Centum per Annum on the Amount for the Time being paid up thereon, to be payable out of the divisible Profits of the Western Extension in preference to all other Payments of Dividend out of those Profits, and also with a Power (which they have not exercised) to attach to those Shares the Right to participate in the Balance of the general Profits of the Company to such Extent as should be authorized by a Meeting of the Company; and that Act directed the Company to keep separate Accounts of all Receipts and Payments from, for, or on account of the Western Extension, and defined the divisible Profits thereof; and by the Western Extension

Act the Company were empowered to charge the Sum of 100,000*l.*, which they were thereby authorized to borrow on Mortgage or Bond, either on their whole Undertaking or exclusively on the Western Extension, and they have borrowed that Sum and charged the same exclusively on the Western Extension; and by "The London, Chatham, and Dover Railway (Capital) Act, 1860," the general Capital of the Company (exclusive of Capital for the Purposes of the Western Extension, and subject to any Increase under any other Act of that Session) was declared to be the Sum of 1,580,000*l.*, and the Capital of the Company for the Purposes of the Western Extension was declared to be the Sum of 390,000*l.*, and by that Act the Rank and Priority inter se of the several Classes of preferential Stock and Shares authorized by that Act and the previous Acts relating to the Company (other than Shares authorized for the Purposes of the Western Extension and Debenture Stock) were defined, and the divisible Profits of the Western Extension were directed to be applied in Payment of Interest or Dividend, in the Order therein mentioned, on the Shares and Stock authorized for the Purposes of the Western Extension, the Western Extension Half Shares A. and any Stock substituted for those Half Shares, being the last in that Order and subject thereto, were to fall into the general Profits of the Company; but it was thereby provided that nothing therein contained should prevent or prejudice the future Creation, with the Authority of Parliament, of any additional Capital with any preferential Interest or Dividend payable out of the Profits of the Western Extension next after the Dividend on the Western Extension Half Shares A. and any Stock substituted for those Half Shares; that by the same Act the Company were authorized to borrow 30,000*l.* on Mortgages of the Western Extension, and they have so borrowed that Amount accordingly; and by "The London, Chatham, and Dover Railway (Metropolitan Extensions) Act, 1860," the Company were authorized to make certain new Railways comprised under the Name of "the Metropolitan Extensions," and to raise Capital for the Purposes thereof by the Creation of new Shares comprised under the Name of "the Metropolitan Extension Shares," and also to raise 100,000*l.* for the other Purposes of that Act by the Creation of other new Shares, and that Act directed that the Profits of the Metropolitan Extensions applicable to Dividends should (subject to Payment of a Dividend on the Metropolitan Extension Shares not exceeding Six per Centum per Annum on the Amount paid up thereon, and to any additional Capital for Purposes in connexion with the Metropolitan Extensions, which Parliament might thereafter sanction) fall into the general Profits of the Company; that by the Metropolitan Extensions Act the Company were authorized to borrow 550,000*l.* on the Security of the Metropolitan Extensions, and 33,000*l.* on the Security of

their general Undertaking, except the Western Extension and the Metropolitan Extensions, and by the same Act Powers were conferred upon the Company for the Purpose of carrying on and maintaining convenient and efficient Communications by means of Steam Vessels in connexion with their Railways between Dover and the Continent of Europe; that under "The West London and Crystal Palace Railway (Transfer of Farnborough Extension and Dissolution of Company) Act, 1860," the ultimate Residue of the Profits of the "Extension to Farnborough Railway" is to fall into the general Profits of the Company; and whereas it is expedient that the Margate Railway Company be authorized to make, and the Company to take, a Lease of the Railways by "The Herne Bay and Faversham Railway Act, 1857," and "The Margate Railway Act, 1859," authorized, and for the Use and Working whereof the Company was by those Acts authorized to contract; and also (on Fulfilment of the Conditions herein-after mentioned) of any Undertaking which by any Act of the present Session of Parliament the Margate Railway Company is or may be authorized to execute; and whereas it is expedient that the Company be authorized to purchase, compulsorily or by Agreement, certain Lands in the Parish of Saint Mary Battersea and County of Surrey for Station and other Purposes in connexion with the Metropolitan Extensions; and whereas by the Metropolitan Extensions Act the Company on the one Part and certain Companies therein named, or any One or more of them, on the other Part were empowered to enter into and carry into effect Contracts or Agreements with respect to the Management, Maintenance, Use, and Working of the Railways and Undertaking of the Company, and other Purposes, and any incidental Matters, and it is expedient that those Powers be extended to the London and South-western Railway Company; and whereas by the Victoria Station and Pimlico Railway Act, 1858, the Company and the Victoria Station and Pimlico Railway Company were empowered to enter into and carry into effect Agreements with respect to the Use of the Railway and Stations by that Act authorized, the Conveyance of Traffic on that Railway, and other Purposes, and an Agreement between them, with reference to the Execution of the Purposes of that Act, set forth in the Schedule thereto, was thereby confirmed, and by the Metropolitan Extensions Act that Agreement was extended to the Traffic of the Metropolitan Extensions, and the Company and the last-mentioned Company were empowered to alter the Terms of that Agreement or of any future Agreements, either as regards the Accommodation to be afforded at the said Station or in other Particulars, and either alone or in conjunction with any other Company using the Railway and Station of the said Company, and such Companies were empowered to enter into and carry out any new Contract or Agreement for effecting the Purposes aforesaid; and whereas by means

of the Railway authorized by "The West London Extension Railway Act, 1859," and of the Railways called "the Battersea Alteration," authorized by "The London, Brighton, and South Coast Railway Act, 1860," the Traffic of the Great Western Railway Company will have Access to the Victoria Station and Pimlico Railway; and whereas Heads of Agreement, dated the 26th Day of June 1860, have been entered into between the Victoria Station Company, the Great Western Railway Company, and the Company with reference to the Terms for the Use and Working of the Railway and Station of the Station Company; and whereas by the Victoria Station and Pimlico Railway Act, 1861, the Three Companies Arrangement is confirmed, and the aforesaid Agreement set forth in the Schedule to the Victoria Station and Pimlico Railway Act, 1858, is annulled; and whereas subsequently to the making of the Three Companies Arrangement other Heads of Agreement have been made between the Great Western Railway Company and the Company with reference to the Three Companies Arrangement, and the Division and Appropriation between and to the Great Western Railway Company and the Company of some of the Benefits and Liabilities arising under the Three Companies Arrangement, and it is expedient that Effect be given to the Two Companies Arrangement; and whereas it is expedient that Power be given for uniting the Undertaking of the Company called the Western Extension with the general Undertaking of the Company (excluding the Metropolitan Extensions and the Farnborough Extension); and that the Company be authorized to raise further Money for the Purchase of Lands and for providing Steam Vessels, and other the Purposes of their general Undertaking, and to raise further Money for the Purposes of the Western Extension; and whereas by virtue of the following Acts of Parliament relating to the Town of Dover, (to wit,) 18 Geo. 3. c. 76., 50 Geo. 3. c. 26., 11 Geo. 4. c. 117., and 5 & 6 Will. 4. c. 47., the Local Board of Health for the District of Dover are entitled to certain Dues on all Sorts of Coals, Coke, Culm, Cinders, Ashes, or Charcoal imported, brought into, and landed or delivered within the Town and Port of Dover; and it is expedient that a Drawback or Return of those Dues be allowed in certain Cases in this Act specified.

Incorporation of Railways and Lands Clauses Acts, § 2.
Partial Incorporation of Companies Clauses Consolidation Act, § 3.
Lease of Undertaking, §§ 6 to 8.
Power to enter into Contracts, § 9.
Lease may supersede Working Contracts, § 10.
Power to take Lands on deposited Plans, § 11.
Three Years for compulsory Purchase of Lands, § 12.
Working Arrangement Powers extended to London and South-western Railway Company, § 13.
Two Companies Arrangement may be carried into effect, § 14.

Western Extension may be united to the original Undertaking § 15.
Rentcharge subject to Mortgages, &c., § 16.
Amount and Appropriation of Rentcharge, § 17.
Consequences of Union, § 18.
Restriction on Use of Steam Vessels by Company, § 19.
Power to create new Shares for general Undertaking not exceeding 360,000*l.*, § 20.
Power to raise 60,000*l.* to discharge Dividends on guaranteed Shares, § 21.
Application of such Money thereto, § 22.
Power to create new Shares for Western Extension, § 23.
What Profits shall be applicable to Dividend on general Shares, § 24.
And on new Western Extension Shares, § 25.
Unissued Shares may be cancelled, § 26.
Privileges may be attached to new Shares, § 27.
Saving existing Preference Shares, § 28.
Rank of new Western Extension Shares, § 29.
Half Shares may be created, § 30.
As to Dividend on preferential Shares, § 31.
Disposal and Conditions of new Shares, § 32 to 34.
Authorized Capital may be raised by Stock, § 35.
Stock to carry same Preference as Shares, § 36.
Application to such Stock of Part of Companies Clauses Consolidation Act, § 37.
Power to borrow 106,000*l.* for general Purposes, § 38.
Power to borrow 56,600*l.* for Western Extension, § 39.
Priority of existing Mortgages, § 40.
Application of Monies raised, § 41.

Drawback from Dover Coal Dues in certain Cases.

42. The Company and every other Railway Company from Time to Time entitled to the Benefit of the Drawback or Return of the Dover Town Dues by this Act authorized respectively shall (so long as they respectively observe and fulfil the Provisions in that Behalf of this Act) be allowed a Drawback or Return of the Dover Town Dues in the several following Cases; (to wit,)

First. When the Coals, Coke, Culm, Cinders, Ashes, or Charcoal are wholly and in good Faith consumed by the Engines or on the Premises of the Company or (as the Case may be) of the other Railway Company:

Second. When the same are conveyed on the Railway or (as the Case may be) the Railway of the other Railway Company to and delivered from the same at any Place beyond the Distance of 10 Miles from the Borough of Dover, and their ultimate Destination is a Place beyond that Distance from the Borough:

Third. When the same are imported, brought into, landed, or delivered within the Town and Port of Dover, and are afterwards shipped on board of any Steam Vessel for Consumption therein:

Provided

Provided always, that any such Drawback or Return of Dues on (as the Case may be) Coal, Coke, Culm, Cinders, Ashes, or Charcoal under this Act shall not be allowed to the Company or (as the Case may be) to the other Railway Company, if and so long as any local Duties or Imposts are levied at any Place within 20 Miles from the Borough of Dover on (as the Case may be) Coal, Coke, Culm, Cinders, Ashes, or Charcoal conveyed on the Railway or (as the Case may be) on the Railway of the other Railway Company; provided also, that for the Purposes of this Act the Distances shall be measured on a straight Line from the Centre of the Market Place in the Borough, and may be so measured on an Ordnance Map.

Claims by Railway Companies to be entitled to Drawback.

43. Any Railway Company (other than the Company) from Time to Time having a Terminal Station at any Part of the Borough of Dover may at any Time by Writing under their Common Seal, delivered to the Local Board, claim the Benefit of this Act with respect to Drawback or Return of Dues, and consent to be bound by the several Provisions in that Behalf of this Act, and therefrom and thenceforth the Railway Company so claiming and consenting shall be entitled and bound accordingly, and the Claim and Consent may be in the Form in the First Schedule to this Act annexed, or to the like Effect.

Company not to deal in Coal in or within Ten Miles from Dover.

44. The Company shall not at any Time, and any other Railway Company from Time to Time entitled to the Benefit of the Drawback or Return of Dues by this Act authorized shall not at any Time while so entitled, sell or otherwise act directly or indirectly as Dealers in Coal in the Borough of Dover or at any Place within a Distance (measured as by this Act provided) of 10 Miles from any Part of the Borough.

Weekly Returns by Railway Companies of Coals carried, &c.

45. The Company, and every other Railway Company from Time to Time entitled to the Benefit of the Drawback or Return of Dues by this Act authorized, shall once and upon the same Day in every Week deliver to the Collector or Receiver of those Dues a Certificate in the Form in the Second Schedule to this Act annexed, or to the like Effect, signed by their Station Master at Dover or other accredited Officer, showing the Quantity of Coal, Coke, Culm, Cinders, Ashes, and Charcoal which during the Week preceding the Date of the Certificate were conveyed on their Railway to any Place within the Town and Port of Dover, or within a Distance of 10 Miles from the Borough of Dover, or were purchased or received by them within the Town and Port, and also (under different Heads) the Quantities for which the Drawback or Return of Dues is claimed under the Provisions of this Act, and also shall, within Seven Days after the Delivery of every such Certificate, pay to the Collector or Receiver the Dues payable on the Quantities specified in the Certificate, after deducting the Quantities in respect of which they are entitled to the Drawback or Return of Dues.

Claim by Dealers in Coal to be entitled to awback.

46. Any Person from Time to Time importing, bringing into, landing, or delivering within the Town and Port of Dover any Coal, Coke, Culm, Cinders, Ashes, or Charcoal, and

and any Person from Time to Time dealing in the same or any of them at any Place within the Town and Port or within a Distance (measured as by this Act provided) of 10 Miles from the Borough, (and which Persons respectively are in this Act referred to as Dealers in Coal,) may at any Time by Writing under his Hand, delivered to the Local Board, claim the Benefit of this Act with respect to the Drawback or Return of Dues by this Act authorized to be allowed, and consent to be bound by the several Provisions in that Behalf of this Act, and thereupon and thenceforth the Dealer in Coal so claiming and consenting shall be entitled and bound accordingly, and the Claim and Consent may be in the Form in the Third Schedule to this Act annexed, or to the like Effect.

Claim by Dealers in Coal being Partners.

47. Where any Dealer in Coal so claiming the Benefit of this Act is One of several Partners being Dealers in Coal, neither the Partnership Firm nor any of the Members from Time to Time thereof shall be entitled to the Benefit of this Act with respect to Drawback or Return of Dues, except when and so long as all the Partners of the Firm, by One Claim or several Claims respectively made by them as Dealers in Coal as by this Act provided, consent to be bound by the several Provisions in that Behalf of this Act.

Weekly Returns by Dealers in Coal.

48. Every Dealer in Coal from Time to Time entitled to the Benefit of the Drawback or Return of Dues by this Act authorized shall once and upon the same Day in every Week deliver to the Collector or Receiver of those Dues a Certificate in the Form in the Fourth Schedule to this Act annexed, or to the like Effect, signed by the Dealer in Coal or his authorized Agent, showing the Quantity of Coal, Coke, Culm, Cinders, Ashes, and Charcoal which during the Week preceding the Date of the Certificate were imported, brought into, and landed or delivered by him within the Town and Port, or were purchased or received by him within the same, and also, under different Heads, the Quantities for which the Drawback or Return of Dues is claimed under the Provisions of this Act; and also shall within Seven Days after the Delivery of every such Certificate pay to the Collector or Receiver the Dues payable on the Quantities specified in the Certificate, after deducting the Quantities in respect of which the Dealer in Coal is entitled to the Drawback or Return of Dues.

Inspection of Stock Book and Stores of Dealers in Coals.

49. Every Dealer in Coal from Time to Time entitled to the Benefit of the Drawback or Return of Dues by this Act authorized shall keep at his Counting-house a Stock Book, which shall be open at all Times during Business Hours to the Inspection and Transcription of the Collector or Receiver of those Dues, or the Inspector or other Person appointed in that Behalf by the Local Board, and who respectively shall at all Times have full and free Access to the Stores or Yards of the Dealer in Coal for the Purpose of examining and measuring the Stock of Coal, Coke, Culm, Cinders, Ashes, and Charcoal there, and all proper Facilities for examining and measuring the same.

50. No

Return of Coal, &c. shipped on board Steam Vessels.

50. No Dealer in Coal who ships on board any Steam Vessel for Consumption therein any Coal shall be entitled to any Drawback or Return of Dues thereon, unless and except within 24 Hours after the Shipment thereof he delivers to the Town Clerk a Notice in Writing signed by the Dealer in Coal and the Master of the Steam Vessel respectively, and certified by the Collector or Receiver of the Dues or the Inspector or other Person appointed in that Behalf to be correct, stating the Quantity of Coal so shipped and the Date of Shipment and the Name of the Steam Vessel.

Penalty for Omission or Falsification of Certificate.

51. If and whenever the Company or any other Railway Company, or any Dealer in Coal respectively entitled to the Benefit of the Drawback or Return of Dues by this Act authorized, shall wilfully fail to deliver any weekly Certificate as required by this Act, and if and whenever any Station Master or other accredited Officer of the Company or of any other Railway Company so entitled, or any Agent of or any Dealer in Coal so entitled, shall knowingly make, sign, send, or deliver any false or inaccurate Certificate, every Company so offending for every such Offence by them, and every Station Master or other Officer or Agent or Dealer in Coal so offending for every such Offence by him, shall respectively forfeit and pay to the Local Board the Sum of 100*l.*

Double Duties for attempting Evasion.

52. If and whenever the Company or any other Railway Company so entitled, or any Dealer in Coal so entitled, or any Officer or Servant of the respective Company, or any Agent of the respective Dealer in Coal, shall by any means elude or evade or attempt to elude or evade Payment of any of the Dues payable under the Provisions of the Dover Town Acts and this Act, every Company or Person so offending shall for every such Offence forfeit and pay to the Local Board a Sum equal to the Amount of the Dues so eluded or evaded or attempted so to be, and shall also stand charged with and liable to the Payment of those Dues, and the Sum so forfeited shall be recoverable in the same Manner as the Dues themselves are recoverable.

Powers of Distress extended to Railway Trucks.

53. The Powers of Distress by the Dover Town Acts given for the Recovery of those Dues shall extend to all Waggons and Trucks of the Company, and every other Railway Company so entitled respectively in which any Coals, Coke, Culm, Ashes, Cinders, or Charcoal liable to those Dues are conveyed or into which the same are loaded within the Town and Port, and to the Contents thereof, whenever the Waggons and Trucks are stationary within the Town and Port, but not when the same are in Motion.

Recovery of Penalties.

54. The Clauses and Provisions of "The Railways Clauses Consolidation Act, 1845," with respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices, shall extend and be applicable to all Penalties imposed by this Act, and are incorporated with this Act accordingly.

Local Board may appoint

55. The Local Board (if they think fit) may from Time to Time by Writing under their Common Seal appoint and remove

move Inspectors of the Coal Traffic upon the Railways of the Company and all other Railway Companies, if any, from Time to Time entitled to the Benefit of the Drawback or Return of Dues by this Act authorized, and of the Stock, Books, Stores, and Yards of all Dealers in Coal from Time to Time so entitled, and every such Inspector shall have and may at all reasonable Times exercise the following Powers; (to wit,) an Inspector of Coal Traffic.

He may inspect and transcribe all the Books, Accounts, Documents, and Papers of the respective Company, and the Stock Book of the respective Dealer in Coal, so far as the same relate to the Coal, Coke, Culm, Cinders, Ashes, and Charcoal in respect of which the Drawback or Return of Dues is claimed:

He may visit at his Discretion all Stations of the respective Company, and all Stores and Yards of the respective Dealer in Coal, being respectively within the Borough or within the Distance of 10 Miles from the Borough, and ascertain the Quantity of Coal, Coke, Culm, Cinders, Ashes, and Charcoal delivered at and from and being in those Stations, Stores, and Yards respectively:

And every such Company and Dealer in Coal respectively shall afford to every such Inspector all reasonable Facilities for the Exercise of those Powers, and if they respectively fail so to do, every such Company and Dealer in Coal respectively so offending shall for every Offence forfeit and pay to the Local Board any Sum not exceeding 100*l.*: Provided always, that no such Inspector shall stop any Train during its Progress on the Railway of any Company, or otherwise impede the Progress of the Traffic upon any Railway.

56. Whenever the Local Board or the Collector or Receiver of the Dues shall consider that the Presence of any Coal Weigher or Coal Meter appointed under the Powers of the Dover Town Acts at any Unloading, Loading, or Transfer of Coals, Coke, Culm, Cinders, Ashes, or Charcoal from any Vessel, Barge, Truck, or Waggon into any other Vessel, Barge, Truck, or Waggon is unnecessary, the Local Board or the Collector or Receiver of the Dues may dispense with the Attendance thereat of a Coal Weigher or Coal Meter. Attendance of Coal Weighers and Meters may be dispensed with.

57. Provided always, That this Act or anything in this Act contained shall not repeal or alter the Provisions of any other Act under which any Railway Company is entitled to any Exemption from or Drawback or Return of the Dues or any of the Dues aforesaid, but with reference to such Company the Provisions of this Act relating to those Dues shall apply and be in force only to such Extent and in such Cases as are not provided for by such other Act. Saving any existing Drawbacks, &c.

First Schedule. Form of Claim and Consent by Railway Company.

Second Schedule. Form of Weekly Return by Railway Company.

Cap. ccxl.

"The London, Chatham, and Dover Railway (Works) Act, 1861."

Preamble recites, that by the "East Kent Railway Act, 1853," a Company was incorporated by the Name of the East Kent Railway Company (but now, by virtue of the "London, Chatham, and Dover Railway Act, 1859," styled the London, Chatham, and Dover Railway Company,) for making a Railway from Strood to Canterbury, with Branches to Faversham Quays and Chatham; and that by the "East Kent Railway (Extension to Dover) Act, 1855," the Company were authorized to extend their Line of Railway from Canterbury to Dover, and to make certain Branch Railways and Tramways; that by the "East Kent Railway (Western Extension) Act, 1858," the Company were authorized to make certain Lines of Railway (therein comprised under the Name of "the Western Extension") from the Bridge of the Company over the River Medway to join the Mid Kent Railway (Bromley to Saint Mary's Cray), and by that Act the Company, their Lessees and Assigns, were empowered to use and run over the Lines, Works, Conveniences, and Accommodations of the Mid Kent Railway (Bromley to Saint Mary's Cray) Company and of the West End of London and Crystal Palace Railway Company, in that Act called the West London and Crystal Palace Railway Company, upon such Terms and Conditions, and subject to such Regulations, and upon Payment of such Tolls or other Consideration, as might have been or might be agreed upon, or in default of Agreement as should be determined by Arbitration, but with a Proviso that nothing therein contained should in any Manner affect or prejudice an Agreement dated the 12th Day of April 1858 between the Company and the Crystal Palace Railway Company; and whereas by the "West London and Crystal Palace Railway (Transfer of Farnborough Extension and Dissolution of Company) Act, 1860," after reciting that the London, Brighton, and South Coast Railway Company had purchased the whole of the Railways and Works of the Crystal Palace Railway Company (excepting only the Railway and Works authorized by "The West London and Crystal Palace Railway (Extension to Farnborough) Act, 1854,") an Agreement for the Sale and Purchase of the then completed Portion of the Farnborough Extension set forth in the First Schedule to that Act was confirmed, and the Company and the Crystal Palace Railway Company were authorized to carry the same into effect, and the Powers of the Crystal Palace Railway Company for the Completion of the remaining Portion (to wit, from Bromley to Farnborough,) of the Farnborough Extension were vested in the Company, and the Period limited for the compulsory Purchase or taking of Lands for the Purposes of that Portion of Rail-

way was extended to the 8th August 1861, and for the Completion thereof to the 8th August 1862, and for the Purposes of that Act the Company were authorized to raise Money, either wholly by Stock (to be distinguished as "Farnborough Extension Stock") or partly by such Stock and partly by borrowing on Mortgage; and whereas by the "London, Chatham, and Dover Railway (Metropolitan Extensions) Act, 1860," the Company were authorized to make certain Railways and Works (in that Act included under the Name of the Metropolitan Extensions) embracing Three Sections, One of which Sections (called "the Beckenham Section") included a Railway No. 1, commencing in the Parish of Beckenham and County of Kent by a Junction with the Farnborough Extension, and terminating at Herne Hill in the Parish of Lambeth, and another of which Sections (called "the West End Section") included a Railway No. 3, commencing at the Termination at Herne Hill of the intended Railway No. 1 by a Junction with that Railway, and terminating in manner in that Act provided in the Parish of Saint Mary Battersea and County of Surrey by a Junction with the Line of Railway belonging to the Brighton Company, and leading to the Line of the Victoria Station and Pimlico Railway Company; and whereas the Metropolitan Extensions Act received the Royal Assent on the 6th Day of August 1860, and in that Act the Periods for compulsory Purchase of Land for the Purposes thereof and for the Completion of the Works were limited respectively to Three Years and Five Years from the passing thereof; and whereas by the Metropolitan Extensions Act the Company were authorized to raise Money by Shares and borrowing for the Purposes of the Metropolitan Extensions; and it is expedient that the Company should be empowered to make and maintain a Railway commencing in the Hamlet of Penge in the Parish of St. Mary Battersea in the County of Surrey by a Junction with the authorized Line of the aforesaid Railway No. 1 included in the Beckenham Section of the Metropolitan Extensions, and terminating in the Parish of Beckenham in the County of Kent near the Bridge carrying the Road leading from Beckenham to Southend over the Farnborough Extension; and also a Railway commencing at the Termination of the Penge Deviation, and terminating in the Parish of Bromley in the County of Kent by a Junction with the Western Extension; and to make and maintain the Junction Railways to connect the Penge Deviation with the Farnborough Extension herein-after described; and that the Company should be empowered to make and maintain a Railway from the authorized Line of the Farnborough Extension in the Parish of Bromley to join the Lines of the Crays Company, and a Junction Railway from the Bromley Deviation, also to join the Lines of the Crays Company; and it is expedient that the Company should be empowered to make and maintain the Railway hereafter distinguished

as the Long Hedge Junction, and to abandon and relinquish the Construction of Part of the authorized Line of the said Railway No. 1, included in the Beckenham Section of the Metropolitan Extensions, which will be rendered unnecessary by the Construction of the Penge Deviation; and also to abandon and relinquish the Construction of Part of the authorized Line of the Farnborough Extension, which will be rendered unnecessary by the Construction of the Bromley Deviation; and that the Periods limited by the Transfer Act for the compulsory Purchase and taking of Lands for the Farnborough Extension and for the Completion thereof should as regards the Portion thereof remaining to be completed be extended; and that the Company should be authorized to apply for the Purposes of the Bromley Deviation and Bromley Junction the Funds by the Transfer Act authorized to be raised, and should be authorized to apply for the Purposes of the Long Hedge Junction Part of the Money which they were by the Metropolitan Extensions Act authorized to raise, and to raise additional Money for the other Purposes of this Act; and whereas by Indenture dated the 1st Day of January 1857, and made between the Mid Kent Railway Company of the one Part and the Crystal Palace Railway Company of the other Part, the Crystal Palace Railway Company agreed to permit the Mid Kent Railway Company to take the Lands necessary for the Purposes of Part of the Farnborough Extension between the Junction therewith of the Mid Kent Railway and an intended Station of the Crystal Palace Railway Company at Beckenham, and for the Purposes of that Station and Works at Beckenham; and it was agreed that the Mid Kent Railway Company should construct that Portion of Railway, Station, and Works, and that of the Sum of 4,825*l.* 13*s.* 4*d.*, the estimated Expense of the Station and Works, the Mid Kent Railway Company should pay 2,575*l.* 13*s.* 4*d.*, and the Crystal Palace Railway Company 2,250*l.*, and that on Payment of the latter Sum those Companies should be Joint Owners of the said Station, and should appoint a Joint Committee for the Maintenance and Management thereof; and it was thereby also agreed that the Crystal Palace Railway Company should pay the entire Cost of the said Portion of Railway, and that on Payment thereof the Mid Kent Railway Company should deliver up the same to them, but should reserve and for ever possess and enjoy the free and uninterrupted Right to run over and use with their Engines, Tenders, Carriages, Waggons, or Trucks, or with those of any Railway Company using their Line, and to carry thereon and thereover all Traffic usually carried on Railways, over the said Portion of Railway, on Payment of a commuted Toll or Rent of 50*l.* per Annum; and by Articles of Agreement made the 23d Day of June 1857 between the Crystal Palace Railway Company of the one Part and the Crays Company of the other Part (being an Agreement made on the Withdrawal by the Crays Company of their Opposition

to a Bill of the Crystal Palace Railway Company then pending in Parliament), it was agreed that the Crays Company should be entitled to run and pass over, and to work and use with their Engines and Carriages or with the Engines and Carriages of any other Company which might work the Traffic of their Line, the Part of the Farnborough Extension between the Junction therewith of their Railway and the Junction therewith of the Mid Kent Railway on Terms to be settled by Arbitration; and whereas under the Powers of the Mid Kent Railway Act, 1855, the South-eastern Railway Company work and manage the Mid Kent Railway; and by an Agreement made the 9th Day of June 1858 between the South-eastern Railway Company of the one Part and the Crays Company of the other Part it was agreed that the South-eastern Railway Company should work the Railway of the Crays Company for 10 Years from the Date thereof, and they now work that Railway; and it would be for the public Advantage that such Provision as herein-after contained should be made for the better Supervision and Control of the Use and Management of the Farnborough Extension between the Beckenham Station and the Junction of the Farnborough Extension with the Railway of the Crays Company, and of the said Station at Beckenham and of the Railway of the Crays Company.

Incorporation of Lands and Railways Clauses Acts, § 2.

Incorporation of certain Provisions of Companies Clauses Consolidation Act, § 3.

Power to make Works, § 6.

Description of new Lines, § 7.

Power to alter Engineering Works, § 8.

Provision for Junction of Long Hedge Junction Railway and London, Brighton, and South Coast Railway, § 9.

Not to alter West End Railway, or take Lands of Brighton Company without Consent, § 10.

Company to indemnify Brighton Company on Failure of Execution of Works, § 11.

Penalty for obstructing West End Railway, § 12.

Watchmen to be employed during Construction of Long Hedge Junction, § 13.

Junctions with Lines of other Companies, §§ 14 to 16.

For Protection of Roads, Streets, and Sewers of Metropolitan Board of Works, §§ 17, 18.

Works in connexion with Southwark and Vauxhall Water Company to be executed by that Company, § 19.

Southwark Company not to be liable for Damage arising from Alteration of Mains or Pipes, § 20.

In default of Southwark Company, the Company may execute the necessary Works, § 21.

Disputes to be settled by Arbitration, § 22.

For Protection of Property of Coles Child, Esq., § 23.

Periods within which Lands are to be purchased, § 24.

Periods for Completion of respective Railways, §§ 26, 27.

Tolls, § 29.
Abandonment of Part of authorized Works; Compensation, §§ 30, 31.
Repealing certain Sections of Transfer Act, § 33.
Further Period for compulsory Purchase, § 34.
Further Period for Completion of Works, § 35.
Parties aggrieved by Extension of Time may have Compensation, § 36.
Existing Contracts and Notices to take Lands not to be affected, § 37.
Power to create new Shares, § 38.
Names of Shares, § 39.
Unissued Shares may be cancelled, § 40.
Privileges may be attached to new Shares, § 41.
Half Shares may be created, § 42.
Saving existing Preference Shares, § 43.
Defining Profits applicable to preferential Dividends, § 44.
Disposal and Conditions of new Shares, §§ 45 to 47.
Authorized Capital may be raised by Stock, § 48.
Application to such Stock of Part of Companies Clauses Consolidation Act, § 50.
Power to borrow 43,000*l.*, §§ 51, 52.
Application of Monies raised, § 53.
Provision as to the Beckenham Agreement, § 54.
Appointment of a Superintendent, for Purposes of Act, by the Boards of Directors of the Company, and the Company working the Crays Line, § 55.
Copies of Resolutions to be transmitted, § 56.
Failing joint Appointment, Board of Trade to appoint, § 57.
Cessation of Superintendent's Powers, § 58.
Superintendent's Duties, § 59.
Recovery and Allowance of Penalties, § 60.
Superintendent's Salary, § 61.
As to Traffic on Bickley Junction, § 63.

Cap. ccxli.

"The Kent Coast Railways Act, 1861."

Recites that in 1857 a Company was incorporated by the Name of the Herne Bay and Faversham Railway Company (but now by virtue of "The Margate Railway Act, 1859," styled "The Margate Railway Company," for the Purpose of making a Railway commencing from the London, Chatham, and Dover Railway in the Parish of Preston next Faversham in the County of Kent, and terminating in the Parish of Herne in the same County, with a Capital of 80,000*l.*, and with Power to borrow 26,000*l.*, and by the Act now in recital, the Company and the East Kent Railway Company (now by virtue of the "London, Chatham, and Dover Railway Act, 1859," styled "The London, Chatham, and Dover Railway Company") were authorized to enter into Contracts for the Use and Working by that Company of the said

Railway and the Conveyance by them of the Traffic thereon; that by "The Margate Railway Act, 1859," the Company were authorized to extend their Line of Railway from Herne Bay to Margate; that the Construction of a Railway, in extension of the Line of Railway by the recited Acts authorized, to Ramsgate by Broadstairs, with due Protection for Bathing on the Sands at Ramsgate, would be of public and local Advantage, and it is expedient that the Company should be enabled to construct the same, and to raise Money for that Purpose; that the Powers by the firstly-recited Act vested in the Company and the London, Chatham, and Dover Railway Company, of entering into such Contracts as aforesaid, shall be extended to the proposed Extension Railway and the Traffic thereon; that the Company should be authorized to raise additional Monies for the Purposes of the Railways by the recited Acts authorized; and also that the Name of the Company should be changed.

Incorporation of Consolidation Acts, §§ 2 to 4.
Power to make Railway, §§ 5, 6.
Protection of South-eastern Railway Company, §§ 8 to 10.
Power to alter Engineering Works, § 11.
Protection of Ramsgate Harbour; Admiralty Provisions, §§ 12 to 17.
As to Construction of Tunnel under Mount Albion Estate, Ramsgate, § 18.
Provision for Protection of Bathing on the Sands at Ramsgate, § 19.
Three Years for compulsory Purchase of Land, § 21.
Five Years for Completion, §§ 22, 23.
Power to take Tolls, § 24.
Extending Traffic Arrangements to Railway by this Act authorized, § 26.
Power to raise in all 156,000*l.* by new Shares of Two Classes, §§ 27, 28.
Preference Dividend of Six per Cent. may be attached to Shares for raising 60,000*l.*, § 29.
Disposal and Conditions of new Shares, §§ 33 to 36.
Power to borrow on Mortgage 52,000*l.*, §§ 37 to 39.
Certain Provisions of Companies Clauses Act incorporated, § 40.
New Name; Company to be called "The Kent Coast Railway Company," § 41.
Saving of Rights and Liabilities, § 42 to 44.

Cap. ccxlii.

"The Swansea and Neath Railway Act, 1861."

Proposes to authorize the Construction in the County of Glamorgan of a Railway from the Vale of Neath Railway to the South Wales Railway at Swansea, to be called "The Swansea and Neath Railway."

Incorporation of Consolidation Acts, § 2.
Company incorporated, with a Capital of 120,000*l.*, and Power to borrow 40,000*l.*, §§ 3 to 7.
Meetings; Directors, &c., §§ 8 to 12.
Vale of Neath Railway Company empowered to subscribe 100,000*l.*, §§ 13, 14.
Vale of Neath Company may raise new Share Capital for that Purpose, with preferential Dividend, § 15.
Power to make Railways, §§ 16, 17.
As to certain Lands of the Duke of Beaufort, § 18.
Power to use the Swansea Harbour Railway, §§ 19 to 21.
Regulating Communications with other Railways, §§ 22 to 24.
Company to provide another Station for the Swansea Vale Railway, § 25.
Swansea Vale Company may use Branch Line; Tolls to be taken, §§ 26 to 28.
Swansea Vale Company to complete Purchase of certain Land, and convey same to the Company, § 29.
Swansea Vale Company not to be bound to construct Extension, § 30.
Admiralty Provisions as to Bridge, §§ 31 to 36.
Execution of Viaduct over the new Cut, §§ 37 to 40.
Company to erect Guards to Bridges across new Cut and Lock, § 42.
Company not to proceed with Works across new Cut and Lock at the same Time, § 43.
Low Level Railway of Harbour Trustees, § 44.
Protection of Road between Bridges, § 45.
Bridges over new Cut and Lock to be kept open during Tide Time, § 46.
Trains to stop before crossing Viaduct, § 47.
Company to take only Easement in Land of Swansea Harbour Trustees, § 48.
Company to carry Ballast and Spoil, &c. at One Halfpenny per Ton per Mile, § 49.
Saving Rights of Swansea Harbour Trustees, § 50.
Company and certain other Companies empowered to lay down mixed Gauge, § 51.
Two Years for compulsory Purchase of Lands, § 53.
Four Years for Completion of Works, § 54.
Company to lay down Narrow Gauge on their Railways in a certain Contingency, § 55.
Power for Vale of Neath Company to complete Railways if not completed by Company, § 56.
Powers of Act for the Purpose to apply to Vale of Neath Company, § 57.
Vale of Neath Company to repay to Company their Expenditure, § 58.
Power for Vale of Neath Company to raise Money for the Purpose, § 59.
Power for Vale of Neath Company to work over Railways, § 60.

Restriction as to local Traffic, § 61.
Terms and Conditions of exercising Power to be settled, if not by Agreement, by Arbitration, § 62.
Deposit of Money with Court of Chancery; Power to order Payment of surplus Deposit, §§ 63, 64.
Tolls, §§ 65 to 73.
Power to Company and Vale of Neath Company to make Traffic Agreements, §§ 74 to 80.
Appointment of Joint Committee, § 81.

Cap. ccxliii.

"The Chard and Taunton Railway Act, 1861."

Preamble recites that the Construction of a Railway to connect the Towns of Chard and Taunton in the County of Somerset, and also to connect the Bristol and Exeter Railway with the Chard Railway, would be of public and local Advantage; and that the Company to be incorporated for that Purpose, and the Bristol and Exeter Railway Company, should be empowered to make and carry into effect Working Arrangements with respect to the Railway and Works, and that the Bristol and Exeter Railway Company should be empowered to subscribe towards the said Undertaking, and to guarantee Interest and Dividend on Monies borrowed and Capital raised by the Company so to be incorporated; and that the Company and the Chard Railway Company should be empowered to make and carry into effect Arrangements with respect to the Construction, Use, and Management of any Station at or near Chard.
Incorporation of Companies, Lands, and Railways Clauses Consolidation Acts, § 1.
Incorporation of Company, with Capital of 120,000*l.*, § 4.
Power for the Bristol and Exeter Company to subscribe, § 5.
The Bristol and Exeter Company may apply any existing Funds towards their Subscription, and may pay Interest on Company's Mortgages, §§ 6, 7.
Rights of that Company as to Monies advanced on Guarantee, § 8.
Power to borrow 40,000*l.*, § 13.
Meetings; Directors, §§ 15 to 19.
Power to make Railway and Works, § 20.
Line of Railway, § 21.
Power to alter Engineering Works, § 22.
For Protection of certain Property in Thorne Falcon, § 23.
Communications with other Railways how to be made, §§ 24 to 27.
Company to make a Farm Siding at Thorne Falcon, § 28.
In certain Events Company to make a Station also, § 29.
Three Years for compulsory Purchase of Lands, § 31.
Four Years for Exercise of other Powers, §§ 32, 33.
Tolls, §§ 34 to 43.

Provisions as to Traffic Agreements with Bristol and Exeter Railway Company, §§ 44 to 50.

Gauge of Railway, § 51.

Arrangements with Chard Company as to Taunton Station, §§ 52, 53.

Cap. ccxliv.

"The West Hartlepool Harbour and Railway Traffic, &c., Act, 1861."

Recites that in 1852 by 15 & 16 Vict. c. xlii., the Stockton and Hartlepool Railway Company, and the Hartlepool West Harbour and Dock Company were amalgamated by the Name of "The West Hartlepool Harbour and Railway Company," and were also authorized to purchase the Undertaking of the Clarence Railway Company, and the Powers of Amalgamation and Purchase by that Act given were shortly afterwards duly exercised, and the Three Companies became united into One Company by the Name of "The West Hartlepool Harbour and Railway Company;" that West Hartlepool has by means of the large Harbour and Dock Works, and the Facilities afforded by the Company, become a Port of great commercial and public Importance, and by means of the Railway, Harbour, and Docks of the Company, and the Railways communicating therewith, extensive Traffic in Passengers and Merchandise is carried on between West Hartlepool and the Manufacturing Towns of Yorkshire, Lancashire, and other Counties in England, and in consequence of the Combinations existing between Railway Companies whose Railways communicate with the Railway, Harbour, and Dock Works of the Company, it is expedient that additional Facilities should be afforded for the Transit along and Interchange of Traffic between the Railways and Works of such Companies respectively, and the Company as by this Act provided; and also that further Facilities should be given for securing the due Payment of the Freight and Charges for Goods brought to or landed at the Harbour and Docks of the Company, or to or at any of the Quays or Wharfs of the Company, and for the Adjustment of Claims in respect of such Freight and Charges, and that the Company should be protected in respect of such Claims, and that Provision be made for the granting of Certificates for the Deposit of Goods and of Warrants for the Delivery of Goods.

Stockton and Darlington, South Durham and Lancashire Union, and Eden Valley Companies to ·d mutual ·ties for

2. The Stockton and Darlington Railway Company, the South Durham and Lancashire Union Railway Company, and the Eden Valley Railway Company respectively shall and they are hereby required to afford at all Times such reasonable and proper Facilities and Accommodations upon their respective Railways and at their respective Stations, and to perform such Services in the Transmission of Traffic upon

upon their Railways respectively and at their respective Stations, as shall effectually secure the forwarding of all Passengers, Goods, Minerals, Animals, and other Traffic desiring or requiring to pass from the Railway and Works of the Company on, to, upon, and over the Railways of the Stockton and Darlington Railway Company, the South Durham and Lancashire Union Railway Company, and the Eden Valley Railway Company respectively, or from the Railways of the Three last-mentioned Companies or any of them, or any Parts of any of those Railways respectively, on, to, and over the Railway and Works of the Company, and the Stockton and Darlington Railway Company, the South Durham and Lancashire Union Railway Company, and the Eden Valley Railway Company respectively shall and they are hereby required to make all other necessary Arrangements for booking through at their respective Stations, and for the Passage and punctual Transmission or Forwarding of all or any of such Traffic as may be offered to them respectively for Transmission as aforesaid, and they shall, if required so to do, carry on such Traffic as aforesaid over their respective Railways in Carriages, Waggons, and Trucks belonging to or supplied by the Company, or belonging to or supplied by other Companies or Persons entitled to use the Railway and Works of the Company, so that no Change of Carriage shall be required in the Transmission of any such Traffic; and the Company shall in like Manner afford the like Facilities and Accommodations in every respect for Traffic passing to, on, over, or from the Railways of the Stockton and Darlington Railway Company, the South Durham and Lancashire Union Railway Company, and the Eden Valley Railway Company respectively, and desiring or required to be forwarded to, on, over, or from the Railway and Works of the Company or any Part thereof.

Traffic over their respective Railways.

3. The Terms and Conditions on which Traffic shall be forwarded and Facilities for Traffic afforded, as by this Act provided, by the said Companies or any of them to the Company, or by the Company to the said Companies or any of them, shall be such Terms and Conditions as such Companies respectively from Time to Time agree on, or, failing Agreement between them, as are from Time to Time determined by Arbitration, in accordance with "The Railway Companies Arbitration Act, 1859," by a single Arbitrator, to be appointed by such Companies respectively, or if they fail to agree on the Appointment, then to be, on their or any of their Application, appointed by the Board of Trade in that Behalf; and it shall be lawful for the Arbitrator to fix and determine the Amount of Rates, Tolls, and Charges to be paid for the forwarding and Facilities for Traffic as aforesaid.

Terms and Conditions of forwarding Traffic to be settled by Agreement or Arbitration.

4. Provided always, That when Traffic is forwarded by any of the said Companies before an Agreement with respect to the Terms and Conditions of the forwarding of Traffic is come to between such Companies respectively, or an Award is made in the Arbitration thereon, the Accounts between them with respect to the forwarding of Traffic as aforesaid shall be made up

Retrospective Operation of Agreement or Award as to Terms and Conditions.

up and settled as if the Terms and Conditions had been agreed on or awarded at the Time when Notice in Writing shall have been given requiring such Agreement to be entered into, or a Reference to Arbitration, in manner before mentioned.

Power to Company to detain Goods landed at the Docks, &c. of the Company on account of Freight, or until a Deposit has been made.

5. All Goods which shall be landed in the Docks or at any Quays or Wharfs of the Company, and which shall be lodged in charge of the Company, shall continue and be subject to such and the same Claim for Freight in favour of the Master or Owner of the Ship from or out of which such Goods shall be landed, or in favour of any other Person interested in the Freight of the same Goods, as such Goods were subject to whilst the same were on board such Ships and before they were landed; and the Company are hereby authorized and required, upon due Notice in that Behalf given to them by such Master, Owner, or other Person, to detain such Goods until the Claim or Demand made for or on account of Freight shall be satisfied, together with the Rates and Charges to which the same shall be liable, or until such Rates and Charges shall have been so paid, or a Deposit shall have been made equal in Amount to such Claim or Demand as aforesaid, which Deposit the Company are hereby authorized and directed to receive, and hold in trust until the Claim or Demand for Freight shall have been satisfied or adjudged to be invalid, when, upon Proof thereof being given to the Company, and Payment made to them of all Rates and Charges, if any, due upon such Goods, such Deposit shall be returned, upon Demand, to the Person by whom the same was made, or to his Executors, Administrators, or Assigns.

Such Deposit to be considered as made in Payment of Claim for Freight.

6. The Company on the Expiration of 15 Days next after any such Deposit shall have been made, and in case Notice in Writing to retain the Amount of such Deposit shall not in the meantime have been given to the Company by some Person claiming to be entitled to such Goods, shall with or out of the said Deposit, pay to the Master or Owner of the Vessel from which such Goods shall have been discharged, or other Person entitled to or interested in such Claim or Lien, the Amount of his Claim or Lien, and may apply the Surplus, if any, of the said Deposit, in or towards Payment of the Rates or Charges, if any, then due to the Company on the Goods in respect of which such Deposit shall have been made, and all other Expenses, if any, incurred by the Company in respect thereof, and the Payment so made by the Company shall release and discharge them from all Claims and Demands whatsoever in respect of so much of such Deposit as they shall have paid to such Master, Owner, or other Person interested as aforesaid.

Declaration to be made by Owner or Consignee of Goods as to Amount in Dispute.

7. Provided, That every Owner or Consignee of Goods which shall have been stopped for Freight who shall require Delivery of the same on a Deposit shall by himself or his Agent make and deliver to the Company a Declaration in Writing, stating whether the Liability to Payment of Freight altogether, or the Amount only payable in respect of Freight, is disputed by him, and if the Amount only shall be in dispute, then

then also stating the Amount which he admits to be payable in respect of the Freight; and in every Case where any Sum shall be admitted to be due for Freight such admitted Amount shall be paid to the Shipowner or Master or other Person entitled to receive the same prior to the Delivery of the Goods, and in such Case the Amount in dispute only shall be the Sum to be deposited as aforesaid.

No Notice to retain Deposit beyond 30 Days of any Effect unless Proceedings instituted within that Time.

8. Provided also, That no Notice to hold or retain the Amount of such Deposit shall be of any Force or Effect for a longer Period than 30 Days from the Service thereof on the Company, unless some Action, Suit, or other Proceeding at Law or in Equity for determining the Right, Title, or Liability to the Freight in respect of which such Deposit shall have been made, or the Right to or the Ownership of such Deposit, shall in the meantime be actually commenced, and Notice thereof in Writing be served on the Company.

Notice to detain for Freight not to be available against Warrant issued by Company unless given within 7 Days after landing of Goods.

9. Notice to detain for Freight given within the Period of Seven Days next after the Day on which the Ship shall have begun to discharge her Cargo, and before the Company shall have parted with the Possession of the Goods referred to in such Notice, shall be effectual for the Purposes of this Act as to such Goods or any Part thereof not so parted with as aforesaid, notwithstanding the Issue by the Company of any Warrant, or the Receipt and Acceptance by them of any Order for Delivery or Transfer; but no Notice which shall be given to the Company after the Expiration of the Period last aforesaid shall be available in respect of any Goods for which the Company shall have issued a Warrant or in respect of which they shall have accepted an Order for Delivery or Transfer.

If Deposit not made within 90 Days after Notice to detain, Goods may be sold by the Company.

10. If in any Case in which Notice to detain any Goods for Freight shall have been given as aforesaid such Deposit as aforesaid shall not be made within 90 Days next after such Goods shall have been landed and lodged in charge as aforesaid, the Company may sell by Auction all or any Part of such Goods, and out of the Proceeds thereof shall in the first place pay the Duties (if any) payable to the Commissioners of Customs or Inland Revenue, and also retain and pay the Rates and Charges payable in respect of such Goods, and the Expenses of such Sale, and in the next place may pay to the Person who shall have given any such Notice as aforesaid the Amount of Freight claimed thereby, so far as such Proceeds shall extend, rendering the Surplus (if any) to the Person for whose Account such Goods shall be held in charge at or immediately previous to the Time of the Sale thereof; but the Company shall not sell a greater Portion of such Goods than shall in their Judgment be sufficient to cover the Amount of the said Duties and Expenses, Rates, Charges, and Freight.

No Sale to be made without 10 Days Notice by Post or Advertisement.

11. Except only as is by this Act otherwise expressly provided with respect to damaged or perishable Goods, no such Sale shall be made until after Ten Days Notice in Writing of such intended Sale shall have been sent through the Post Office

Office by registered Letter or otherwise, given to the Person for whose Account such Goods shall be held in charge, if the Name and Residence or Place of Business of such Person shall be known, or if the Name, Residence, or Place of Business of such Person shall not be known, then until Ten Days after such Notice shall have been inserted twice in some Newspaper published in London.

Sale of damaged or perishable Goods.

12. Provided nevertheless, That with respect to all damaged Goods or Goods of a perishable Nature deposited and lodged with the Company, they may, if they think fit, sell such Goods at any Time when in their Judgment such Goods would be materially injured or lessened in Value by being retained by them, and whether or not they have Notice of the Nonpayment of Freight claimed on such Goods, or Notice to retain the same.

Application of Proceeds of Sale of damaged or perishable Goods.

13. Where the Company so sell any such damaged or perishable Goods they shall apply the Proceeds of the Sale, so far as they suffice, in the first place in Payment of the Customs Duties and Inland Revenue Duties (if any) payable in respect of such Goods, and in the next place in Payment of the Rates, Rents, and Charges due and payable to the Company in respect thereof, and the Expenses of the Sale, and in the next place, if the Company have been duly served with Notice according to this Act of the Claim for Freight in respect of such Goods (but not otherwise), in Payment of the Freight, rendering, on Demand, the Surplus (if any) of the Proceeds and the unsold Goods (if any) to the Person entitled thereto.

Company not to be affected by Excess or Invalidity of Claim.

14. The Company shall not be in any Manner responsible for or affected by the Invalidity or Excess of any Claim or Lien for Freight made or claimed upon or in respect of any Goods warehoused by them, or lodged or deposited in their Charge.

Company may give Certificates of deposited Goods, and Warrants for Delivery of Goods.

15. The Company from Time to Time, at the Request of any Person or Persons warehousing or depositing any Goods in any Warehouse, or upon or in any of the Quays, Yards, Buildings, or Property of the Company, or entitled to any such Goods, may, if they think fit, issue and deliver to such Person or Persons a Certificate, in a Form approved by the Company, for the Delivery of the Goods so warehoused or deposited, or a Warrant, in a Form approved by the Company, for the Delivery of such Goods or any Part thereof, to be respectively specified in the Warrant.

Effect of Certificate.

16. The Goods specified in every such Certificate of the warehousing or depositing thereof shall for all Purposes of this Act be deemed the Property of the Person or Persons in that Behalf named in such Certificate.

Warrant not to be given until Freight Rates, &c. paid.

17. Provided always, That the Company shall not be bound to give any such Warrant for Delivery unless and until all Liens and Claims whatsoever for Freight and otherwise to which the Goods were liable before, or for the warehousing or depositing of the same, or of which the Company have

Notice

Notice in Writing, and all Rates, Rents, Charges, and Expenses payable to the Company with respect to the warehousing or depositing of the Goods, or for Services performed by the Company in respect thereof, are paid or discharged.

Warrant not to be given until Certificate given up.

18. Provided also, That before the Warrant for the Delivery of all or any of the Goods specified in any Certificate is issued by the Company, the Certificate shall be delivered to them to be cancelled; provided also, that if the Warrant be for the Delivery of Part only of the Goods the Company shall issue to the Party so delivering up the Certificate a new Certificate with respect to the Goods not specified in the Warrant.

Effect of Warrant.

19. Every such Warrant for Delivery shall be transferable by special Endorsement, and shall entitle the Person named therein, or the last Endorsee thereof named in the Endorsement, to the Goods specified therein, and the Goods so specified shall for all Purposes be deemed his Property.

Cap. ccxlv.

"The Lynn and Sutton Bridge Railway Act, 1861."

Proposes to authorize the Construction of a Railway from the East Anglian Railways at Lynn to the Norwich and Spalding Railway at Sutton Bridge.

Incorporation of Consolidation Acts, §§ 1, 2.

Subscribers incorporated with a Capital of 100,000*l.*, and with Power to borrow 33,000*l*, §§ 3 to 7.

Meetings; Directors, §§ 8 to 12.

Power to East Anglian Railways Company to subscribe 50,000*l.*; to attach a Preference not exceeding 5 per Cent. to the Shares issued for that Purpose; and to appoint Directors, §§ 13 to 18.

Power to make Railway and other Works, §§ 19, 20.

Describing other Works which Company may make, and Powers which may be exercised, §§ 21.

Provision for Sale of Property of Cross Keys Bridge Company to Company, §§ 22 to 28.

Power to use certain Railways, §§ 29 to 31.

Level Crossings, §§ 32 to 35.

Communication with other Railways, §§ 36 to 38.

Provisions respecting new Bridge across the Nene Outfall; the crossing of the Eau Brink Cut; and Admiralty Provisions, §§ 39 to 62.

Lands to be bought by Compulsion in Two Years, § 64.

Three Years for Completion of Works, §§ 65, 66.

Court of Chancery may order Payment of surplus Deposit, § 67.

Tolls, §§ 68 to 76.

Power to enter into Traffic Arrangements with other Railway Companies, §§ 77 to 83.

Reservation of the Rights of the Bedford Level Corporation; of Corporation of Wisbeach; and of the Crown, §§ 87 to 89.

Cap. ccxlvi.

"The Midland Counties and Shannon Junction Railway Act, 1861."

Proposes the making of Railways to unite the Deep-water Navigation of the River Shannon at Banagher and Meelick, in the King's County, with the Great Southern and Western Railway, at the Town of Clara, in the King's County; and to build and construct a Bridge across the River Shannon, at Meelick, with suitable and convenient Approaches thereto, for the Traffic between the King's County and the County of Tipperary on the one side, and the County of Galway on the other; also to authorize the Great Southern and Western Railway Company to enter into Arrangements with respect to the Working and Management of the Railways and Bridge.

Incorporation of Consolidation Acts, §§ 1 and 3, 4.

Subscribers incorporated with a Capital of 115,000*l.*, and Power to borrow 38,300*l.*, §§ 5 to 10.

Meetings; Directors, §§ 13 to 21.

Power to make Railways and Bridge, § 22.

Describing Railways and Bridge, § 23.

Roads to be crossed on the Level, §§ 24 to 27.

Company to purchase Land for a double Line, §§ 29, 30.

Three Years for compulsory Purchase of Lands, § 31.

Five Years for Completion of Works, § 32 and § 47.

Mode of effecting Communication with Great Southern and Western Railway, §§ 33 to 37.

Power to enter into Agreement with the Great Southern and Western Company for the Use and Working of Line, §§ 38 to 42.

Power to use the Great Southern and Western Railway, § 43.

Conditions of such User, §§ 44 to 46.

Construction and Management of Bridge, §§ 48 to 53.

Collection and Application of Bridge Tolls, §§ 54 to 71.

Repair of Bridge, §§ 72, 73.

Injuries to Bridge and Repairs, §§ 74 to 77.

Saving Rights as to Shannon Property, § 78.

Saving Rights of Her Majesty's Principal Secretary of State for the War Department, § 79.

Tolls for Use of Railways, §§ 80 to 89.

Tolls for Use of Bridge, § 90.

Cap. ccxlvii.

"The Mold and Denbigh Junction Railway Act, 1861."

Preamble recites that the making of a Railway from the Mold Branch of the Chester and Holyhead Railway at Mold to the Vale of Clwyd Railway would be of great public Advantage; and that it is expedient that the Company on the one hand, and the London and North-western Railway

Company on the other hand, should be authorized to enter into Traffic Agreements.
Incorporation of Consolidation Acts, § 2.
Company incorporated with a Capital of 125,000*l.*, and Power to borrow 41,000*l.*, §§ 3 to 10.
Meetings; Directors, §§ 11 to 18.
Power to make Railway, § 19.
Power to alter Engineering Works, § 21.
For Protection of Pont Rhyffydd Hall, § 22.
Station to be made between Fifth and Sixth Furlongs of the Tenth Mile, § 23.
Certain Lands of William Barber Buddicom, Esq., not to be taken without Consent, § 24.
Other Conditions to be observed in regard to his Property §§ 25 to 31.
Three Years for compulsory Purchase of Lands, § 32.
Five Years for Completion of Works, § 33.
Provisions with respect to Junction with Mold and Vale of Clwyd Railway, §§ 35 to 38.
Level Crossings, 39 to 42.
Tolls, §§ 44 to 51.
Agreements may be made with London and North-western Railway Company, Conditions thereof, §§ 52 to 58.
Saving Rights of the Crown, § 60.

Cap. ccxlviii.

"The Blane Valley Railway Act, 1861."

Proposes the making of a Railway commencing by a Junction with the Branch Railway from near Garngibber to Lennoxtown of Campsie, of the Edinburgh and Glasgow Railway, and terminating near to the Eastward of the Farm-steading of Cuilt, with a Branch or Continuation thereof to Lettermill, all in the County of Stirling; and that the intended Company and the Edinburgh and Glasgow Railway Company should be enabled to enter into Working Arrangements with respect to their Railways, and with regard to the Interchange of Traffic on their respective Lines; and to authorize the Edinburgh and Glasgow Railway Company to subscribe to the Capital.

Incorporation of Consolidation Acts. §§ 1, 2.
Subscribers incorporated with a Capital of 51,000*l.*, and Power to borrow 17,000*l.*, §§ 4 to 12.
Meetings; Directors, §§ 13 to 21.
Power to make Railway, § 22.
Lines of Railway described, § 23.
Junction with the Edinburgh and Glasgow Railway, §§ 24, 25.
Section 22 of Railways Clauses Act not to apply to Pipes of Commissioners of Glasgow Corporation Waterworks, § 26.
Commissioners may repair Pipes in case of Accident, § 27.
Commissioners not to be liable for Damages to Railway, § 28.
Commissioners may lay additional Pipes, § 29.

Liability of Company for Damage to Pipes, § 30.
Company may purchase Land for Works for protecting Lennox Castle and Grounds, § 31.
Level Crossings, §§ 32 to 35.
Three Years for Lands to be purchased by Compulsion, § 37.
Four Years for Completion of Works, § 38 and § 58.
Tolls, §§ 39 to 47.
Agreement enabling the Edinburgh and Glasgow Company to subscribe confirmed, § 48.
Agreement with Edinburgh and Glasgow Company as to working the Railway confirmed, § 49.
Saving Rights of the Edinburgh and Glasgow Company, § 50.
Power for Edinburgh and Glasgow Company to subscribe 17,000*l.*, and to raise that Amount by Shares with or without a Preference not exceeding 5*l.* per Cent., §§ 52 to 56.
Certain Provisions of Companies Clauses Act incorporated, § 57.

Cap. ccxlix.

"The West Hartlepool Harbour and Railway Company's Capital Act, 1861."

Recites that by "The West Hartlepool Harbour and Railway Act, 1852," after reciting Seven Acts passed relating to the Clarence Railway, and the Powers of the Clarence Railway Company, under those Acts of raising, in addition to their ordinary Capital, Three several Classes of Preference Shares for the Discharge of Debts and Liabilities of that Company, and for other Purposes; and also 5 & 6 Vict. c. xc., incorporating the Proprietors of the Stockton and Hartlepool Railway, and reciting that that Company had become the Lessees of the Clarence Railway for a Term of Years, and after also reciting Three several Acts relating to the Hartlepool West Harbour and Dock Company, and that it would be advantageous if the Stockton and Hartlepool Railway Company, the Clarence Railway Company, and the Hartlepool West Harbour and Dock Company were amalgamated and enabled to take an extended Lease of or to purchase the Clarence Railway, the Stockton and Hartlepool Railway Company were dissolved and re-incorporated, and the re-incorporated Railway Company were authorized to raise a further Capital of 110,000*l.* by new Shares or Stock; and Provision was made for the Amalgamation of the re-incorporated Railway Company with the Hartlepool West Harbour and Dock Company into One Company by the Name of the "West Hartlepool Harbour and Railway Company," and for vesting the Harbour, Docks, Railways, Property, and Effects of the re-incorporated Railway Company and of the Hartlepool West Harbour and Dock Company respectively in and for transferring their respective Debts, Liabilities, and Engagements to the Company, and for the final Dissolution of the Stockton and Hartlepool Railway Company and of

the Hartlepool West Harbour and Dock Company respectively; and the Company were authorized to create Shares and Stock to be allotted to the Holders of Shares of the Capital of those Two finally dissolved Companies respectively in proportion to the Shares held by them in those Capitals respectively; and the Company were also authorized to raise the further Sum of 391,400*l.* by new Shares or Stock, with such Preference, if any, as the Company should direct, but subject to the Provisions of the reciting Act with respect to the Preferences of the other preferential Shares therein referred to, and to borrow One Third of their Capital for the Time being; and Provision was thereby made for the Sale of the Clarence Railway to the Company; and in the event of the Sale taking place, the Company were also authorized to raise by further Capital the Sum requisite to be raised and paid for the Purchase Money of the Clarence Railway, or Part thereof, by Shares or Stock, with any Preference they should think fit, or to allot Shares to the Shareholders of the Clarence Company, to be called as therein mentioned, and which Shares were allotted accordingly, with the Preferences thereby authorized; and Provision was thereby made for the Redemption by the Company of the last-mentioned preferential Shares respectively, on the Terms therein expressed, and for the re-issuing by the Company of the redeemed Shares, but an Option was thereby given to the Holders thereof to hold them unredeemed as ordinary Shares, and also to create Capital for the Redemption of the preferential Shares of the Clarence Railway Company, and to create the preferential Shares of the Company to be substituted for the same Clarence Railway Shares respectively; and Provision was thereby made for the Repeal of the therein recited Acts relating to the Clarence Railway Company, and for vesting their Railway and Property in the Company, and for authorizing the Company also to raise by new Shares, with or without Preference, 25,000*l.*, part of a larger Sum which the Clarence Railway Company were authorized to raise, but had not raised; that those Companies were accordingly dissolved, and the Company purchased the Clarence Railway, and the Clarence Railway Company ceased to exist; that by their Act of 1857 the Company were authorized to raise 450,000*l.* by new Shares or Stock, in addition to their then Share Capital of 1,564,560*l.*, and making therewith a Share Capital of 2,014,560*l.*, and to attach to any of the new Shares or Stock preferential Dividends not exceeding 5*l.* per Centum per Annum; and to create Debenture Stock, with any guaranteed Interest not exceeding 5*l.* per Centum per Annum by way of Substitution for or Redemption of Debt; that they created Three Classes of preferential Stock, now bearing preferential Dividends, at the Rate of 4*l.* per Centum per Annum, 4*l.* 10*s.* per Centum per Annum and 5*l.* 10*s.* per Centum per Annum respectively, and they converted the ordinary Shares of their Capital into Consoli-

dated Stock; that the Capital which the Company have Authority to raise is as follows:

	£
In respect of the dissolved Clarence Railway Company	543,560
In respect of the dissolved Stockton and Hartlepool Railway Company	240,000
In respect of the dissolved Hartlepool West Harbour and Dock Company	254,600
Authorized to be created by the Company under the Act of 1852	526,400
The like under the Act of 1857	450,000
	£2,014,560
And with 671,520*l.* One Third of that Amount added thereto as Loan	£2,686,080

that the Trade of the Port of West Hartlepool has within the last few Years greatly and rapidly increased, and they have been obliged to incur a large Outlay from Time to Time in enlarging their Harbour and Dock Works, and in constructing Timber Ponds, Graving Docks, Ship Yards, and other Works, and for the Protection of their Harbour and Docks from the Sea, and also for extensive Warehouses, Steam Dredgers, Rolling Stock, Ballast Ground, and other Accommodations urgently required for the Trade, and to enable them to secure and accommodate the increasing Traffic of Coal and general Merchandise; that they are the Owners of a considerable Extent of Land in and near to West Hartlepool in the Township of Stranton, and containing about 160 Acres, of which Land it is essential that they should have the Command as Ballast Ground, in order to its being used for the Deposit thereon of Ship's Ballast, but from Time to Time, as Portions of such Ground, by means of the Deposit of Ballast, become adapted for building thereon, they dispose of the same as Building Ground at a considerable Profit, and such Ballast Ground forms an additional valuable Security for any Money advanced to them; that it is expedient that Powers of raising additional Capital should be granted to the Company, and that their Acts of 1852 and 1857 should be amended.

Incorporation of Companies Clauses Act, § 2.

Power to raise additional Capital by Creation of Stock.

4. The Company may raise for the Purposes of their Undertakings by the Creation of Stock and of new Shares any Sum of Money, which together with the said Sum of 2,014,560*l.* shall not exceed in the whole 2,100,000*l.*

Power to raise Money by new Shares, § 5.

Preferential Dividend may be attached to new Shares, § 6.

Company may make Arrangements with the Holders of pre-

7. The Company, with the Sanction of at least Three Fifths of the Votes of the Shareholders present, in Person or by Proxy, at a General Meeting of the Company specially convened

convened for the Purpose, from Time to Time may make any Agreement with the Holders of any of the guaranteed or preferential Stock or Shares from Time to Time of the Capital of the Company for the Conversion or Commutation of all or any Part thereof respectively into any other Stock of the Company, whether ordinary or bearing such guaranteed or preferential Dividend, and of such Amounts respectively in proportion to the Amounts of the Shares or Stock to be respectively so converted or commuted, as the Company and the Holders thereof respectively agree on: Provided always, that the aggregate Amount of preferential Dividend upon any Shares or Stock given in exchange for any other preferential Shares or Stock shall not exceed the aggregate Amount of the preferential Dividend upon the Shares or Stock so exchanged, and the Amount of the Capital in Shares or Stock given in exchange shall not exceed that of the Shares or Stock so exchanged.

ferential Stock or Shares for the Conversion thereof into other Stock.

8. If the Company have created and issued, or shall hereafter create and issue under the Powers of the recited Acts and this Act, or any of them, any Shares or Stock bearing a fixed or preferential Dividend, but subject to the Redemption of such Shares or Stock by the Company at a future Period, or shall agree with any Holders of Preference Shares or Stock for the Conversion or Commutation thereof, the Company may and they are hereby empowered from Time to Time, for the Purpose of paying off any preferential Shares or Stock which have been so issued, subject to the Power of Redemption by the Company, or for carrying out any such Agreement, create and issue a new Class of Shares or Stock bearing a fixed or preferential Dividend or Interest not exceeding the Rate by this Act limited, or may create for the Purposes of such Redemption or Agreement a further Amount of Shares or Stock in the ordinary Stock of the Company; and the Money arising from all such new Shares or Stock so created and issued shall be applied for the Purpose of paying off the preferential Shares or Stock for the Payment of which they were created, or for carrying out such Agreement, and for no other Purpose.

As to Creation of new Shares or Stock for Redemption of Preference Shares or Stock.

9. In no Case shall the preferential Dividends to be attached to any new Shares or Stock created and issued under the Authority of this Act exceed the Rate of 6*l.* per Centum per Annum, and no such new Shares or Stock shall interfere with the Priority or other Privileges of any Debenture Stock of the Company already or hereafter created, or of any existing Government Loan or preferential Shares or preferential Stock of the Company.

Limit of preferential Dividend.

10. Provided always, That any Preference or Priority in the Payment of Interest or Dividend which may be granted in respect of any new Shares or Stock (other than Debenture Stock) in pursuance of this Act shall not prejudice or affect any Preference or Priority in the Payment of Interest or Dividend on any other Shares or Stock which may have been previously granted by the Company by or in pursuance of, or

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PRIVATE ACTS,

PRINTED AT THE QUEEN'S PRINTERS,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

N.B.—*To each of these Acts is annexed a Clause in the Terms following:*

"This Act shall not be a Public Act, but shall be printed "by the several Printers to the Queen's most Excellent Majesty "duly authorized to print the Statutes of the United King- "dom, and a Copy thereof so printed by any of them shall "be admitted as Evidence thereof by all Judges, Justices, and "others."

Cap. 1.

An Act to incorporate the Trustees of "The *Atkinson Institution* of *Glasgow*," acting under the Will of *Thomas Atkinson* Bookseller and Stationer, of *Glasgow*, deceased, and to enlarge the Powers of such Trustees, the better to enable them to carry out the benevolent Designs of the said Testator. [1st *August* 1861.]

Cap. 2.

An Act to extend the Powers of Leasing contained in the Will of the Right Honourable *John Savile Lumley Savile* Earl of *Scarbrough* deceased, with respect to certain Estates in the County of *York* thereby devised, and therein called the *Savile York* Estates; and for other Purposes; and of which the Short Title is "*Savile* Estate (Leasing) Act, 1861." [1st *August* 1861.]

Cap. 3.

An Act for authorizing the Application for the Maintenance and Benefit of the Children of Sir *Beresford Burston M'Mahon* Baronet of certain Monies by the Will of Sir *William M'Mahon*, Baronet deceased, directed to be accumulated during the Life of Sir *Beresford Burston M'Mahon*. [1st *August* 1861.]

Cap. 4.

An Act to authorize The Most Noble *George Granville William* Duke and Earl of *Sutherland*, and *Anne*

Duchess of *Sutherland*, to disentail the Estate of *Cromarty*, and to grant a new Entail thereof.
[6th *August* 1861.]

Cap. 5.

An Act to enable the Trustees of the Will of the late Sir *William Fowle Fowle Middleton* to carry into effect certain Contracts affecting his Estates in *London* and *Middlesex*. [6th *August* 1861.]

Cap. 6.

An Act for the Amendment of an Act of the Parliament of *Ireland* of the Session of the 19th and 20th Years of *George* the Third, incorporating the Trustees of the Hospital founded by *George Simpson* Esquire; and for confirming Leases granted by the Trustees.
[6th *August* 1861.]

Cap. 7.

An Act for confirming Leases granted by Sir *Richard Godin Simeon* Baronet, deceased, and Sir *John Simeon* Baronet respectively, of Parts of the *Saint John's* Estate in the Parish of *Saint Helens* in the *Isle of Wight*, and for other Purposes, and of which the Short Title is "Sir *John Simeon's* Leasing Act, 1861." [6th *August* 1861.]

Cap. 8.

An Act to simplify certain of the Trusts and Provisions in the Settlements of the *Vane Tempest* Estates; and for other Purposes connected therewith.
[6th *August* 1861.]

Cap. 9.

An Act to authorize the granting of Building and Repairing Leases of Parts of the Estates devised and bequeathed by the Will of the Right Honourable *George* Earl of *Egremont* deceased, or become subject to the Trusts thereof; and for other Purposes.
[6th *August* 1861.]

Cap. 10.

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Bank of Ireland.

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141. The Bankrupt to prepare and file a Statement of Accounts.
142. Statement of Accounts to be open to Creditors.
143. Official Assignee to assist in preparing such Statement; and to file therewith a Report upon the State of Bankrupt's Affairs. Other Assistance under special Circumstances.

As to Proof of Debts.

144. When and how Debts may be proved. Declaration for Proof of Debt.
145. False Declaration a Misdemeanor.
146. Proof in Court or in Chambers, or before a Registrar, or by Affidavit.
147. Official Assignee to examine all Statements of Account; and make out List of Creditors who have proved.
148. Power to examine upon Oath alleged Creditors, &c.
149. Proof for Money, Costs, &c. of which Payment may be enforced by Process of Contempt.
150. Proof for proportionate Part of Rent and other Payments falling due at fixed Periods.
151. Proof in case of Debt payable by Instalments.
152. Proof in respect of distinct Contracts.
153. Proof in respect of unliquidated Damages.
154. Proof for Premiums upon Policies of Insurance.
155. How Proof may be expunged or reduced.
156. One Year's Parochial Rates may be paid in full.

As to the Discharge of the Bankrupt.

157. Classification of Certificates abolished. Form of Discharge where suspended, or Bankrupt sentenced to Imprisonment.
158. Appointment of Sitting for considering Question of granting Order of Discharge.
159. Rules as to granting Orders of Discharge.
160. Application for Order of Discharge where Certificate of Conformity has been refused.
161. Effect of Order of Discharge.
162. Release of Bankrupt when arrested after Discharge.
163. Effect of Order in case of Partners, &c.
164. Contract, &c. pending Proceedings in Bankruptcy, not binding on Bankrupt.
165. Order to operate as a Discharge from Effects of Process for Contempt.
166. Contract or Security with Intent to induce Creditor to forbear Opposition, void.

§ 167. Obtaining Money, Goods, &c. as an Inducement to forbear Opposition, or to consent to Allowance of Discharge, Penalty for.
168. Rehearing of Order of Discharge.
169. If Order suspended on Rehearing, subsequent Creditors to prove first against subsequent Property.
170. Order, when to be drawn up.
171. Appeal against Decision, whether granting or refusing an Order of Discharge.
172. Form of Order. Notice to be advertised.

As to Audit.

173. No public Sitting for Audit.

As to Dividend.

174. Meeting for Declaration of Dividend.
175. Assignee not to keep Money in his Hands.
176. Provision to be made for Creditors residing at a Distance; and for pending Claims.
177. Joint and separate Dividend Sittings.
178. Dividend List to be prepared by Official Assignee.
179. Like Proceedings at successive Periods of Four Months.

As to the Discharge of the Creditors Assignee.

180. Effect of Discharge.
181. Unclaimed Dividends, &c. to be paid into the Bank.
182. Official Assignee to act after Discharge of Creditors Assignee.
183. Bank of England to receive from Assignee and give a Receipt for any Sum mentioned in a Certificate of the Accountant in Bankruptcy.
184. Unclaimed Dividends.

As to Change from Bankruptcy to Arrangement.

185. Power for Creditors to resolve that Estate ought to be wound up under Deed of Arrangement, &c.; and Proceedings stayed.
186. Resolution to be reported to the Court. Power for Court to confirm.
187. Power for Court to make a Declaration of complete Execution of Deed of Arrangement; and to direct it to be registered; and to annul Bankruptcy. Deed, if so registered, to be binding on Creditors not executing.
188. Court to have Jurisdiction to entertain Applications of Bankrupt or any Party to the Deed respecting Bankrupt's Estate and Affairs. Questions under the Deed to be decided according to Law of Bankruptcy.
189. Power of the Court to summon and examine.

§ 190. Where Bankruptcy to proceed as if no Resolution had been passed.
191. Where Bankruptcy annulled.

As to Trust Deeds for Benefit of Creditors, Composition and Inspectorship Deeds executed by a Debtor.

192. What Deeds to be valid ; and upon what Conditions.
193. Particulars of Deed to be entered by the Chief Registrar.
194. Deed to be registered in the Court of Bankruptcy, and where.
195. Stamp Duties on Deeds. No Deed to be registered unless so stamped.
196. Memorandum of Registration.
197. Jurisdiction of the Court, and Rights and Liabilities of the Parties, after Registration of Deed.
198. Protection to Debtor after.
199. Stay of Proceedings in Bankruptcy after Execution of Deed, pending Time allowed for its Registration.
200. Provision in case Debtor cannot obtain Assent of requisite Majority of Creditors.

As to Notices and Advertisements.

201. What Notices to be sent by Post.
202. General Orders as to Advertisements.

As to Evidence.

203. Petitions and other Proceedings in Bankruptcy, and Copies, purporting to be sealed with the Seal of the Court, admissible in Evidence.
204. Judicial Notice to be taken of Signature of Commissioner or Registrar and of the Seal of the Court.
205. Forging Signature of Commissioner or Officer, or the Seal of the Court, &c., Felony.
206. Evidence as to Insolvency.

As to Affidavits, Declarations, and Affirmations.

207. Affidavits, Declarations, &c. before whom to be sworn. Judicial Notice of Seal or Signature thereto.
208. The Courts of Bankruptcy in England to be auxiliary for the Purpose of taking Affidavits, &c. to be used elsewhere.
209. As to Fees on taking Oaths, or making Declarations, in Bankruptcy.
210. Affidavits by Prisoners.
211. Bankrupt and Wife to sign Declaration in Schedule, but not to be exempted from Examination upon Oath.

As to Solicitors; Costs; Orders of Lord Chancellor, &c.; and Attendance of Witnesses out of the Jurisdiction.

§ 212. Solicitors of the Court of Bankruptcy may practise as such, and appear and plead without Counsel.

213. Costs, Power to award; how recoverable; Remedies for. Proviso: Order for, must be registered under 23 & 24 Vict. c. 38.

214. Provisions of 1 & 2 Vict. c. 110. s. 18. to be applicable to Orders of the Lord Chancellor and Court of Appeal under this Act.

215. Provisions of 17 & 18 Vict. c. 34. as to Attendance of Witnesses out of Jurisdiction, extended to Court of Bankruptcy.

As to the Powers for mutual Aid of the Courts in England and elsewhere.

216. Courts in Scotland to be auxiliary to the Court in England in the Examination of Witnesses, &c. Proceedings for that Purpose.

217. Courts in Ireland to be auxiliary in like Manner.

218. Where Debtor, who has been adjudged bankrupt, &c. in India or the Colonies, resides, or has Property, in England, &c., Power to obtain Adjudication in England, &c., and Proceedings thereupon.

219. Orders in England to be enforced in Scotland and Ireland; and conversely.

220. Courts in England to be in like Manner auxiliary to Courts in Scotland, Ireland, and elsewhere.

As to Misdemeanors under this Act.

221. Misdemeanors defined, and Penalty.

222. Jurisdiction and Powers of Commissioners in proceeding in respect of Bankrupt guilty of any of such Offences. Provisions of 11 & 12 Vict. c. 42. extended.

223. Court may appoint Prosecutor. Costs of Prosecution.

224. Reference to Attorney General.

225. Indictment.

Miscellaneous.

226. Power for Court to commit Persons wilfully disobeying any Rule or Order of Court.

227. Money forfeited under this Act, how to be sued for.

228. Provisions of 9 & 10 Vict. c. 95. ss. 114–117., to apply to Officers acting in execution of Warrants and Orders of the Court.

229. Definition of Terms, &c.

230. Repeal of Acts and Parts of Acts in Schedule.

231. Act not to extend to Scotland or Ireland.

232. Commencement of Act; and Act to be construed with so much of the Acts of 1849 and 1854 as remain in force.

SCHEDULES.

Barristers. See *Revising Barristers.*

Beer, Sale of. See *Inland Revenue.*

Bethlehem Hospital. See *Queen's Prison.*

Bills of Exchange and Promissory Notes (Ireland).

24 & 25 Vict. c. 43.—An Act to facilitate the Remedies on Bills of Exchange and Promissory Notes in Ireland by the Prevention of frivolous or fictitious Defences to Actions thereon. Page 148

§ 1. From and after 21st October 1861 all Actions upon Bills of Exchange, &c. may, if Plaintiff desires to proceed under this Act, be in the Form prescribed by 16 & 17 Vict. c. 113., with Additions thereto, as herein specified.

2. Defendant showing a Defence upon the Merits, to have Leave to appear.

3. Judge may, under special Circumstances, set aside Judgment.

4. Judge may order Bill to be deposited with Officer of Court in certain Cases.

5. Remedy for the Recovery of Expenses of noting Nonacceptance of dishonored Bill.

6. Common Law Procedure Acts and Rules made under them incorporated.

7. Judges to frame Rules.

8. Act to apply only to Ireland.

9. Short Title:—"The Summary Procedure on Bills of Exchange (Ireland) Act, 1861."

SCHEDULE.

Board of Trade. See *Harbours.*

Bonds. See *Mortgages and Bonds.*

Borough of Dublin. See *Dublin.*

Boundaries of Burghs Extension (Scotland).

24 & 25 Vict. c. 36.—An Act to amend the Boundaries of Burghs Extension (Scotland) Act. Page 108

Preamble recites 20 & 21 Vict. c. 70.

1. Extended District may be formed into Wards or annexed to existing Wards by the Sheriff on Application of the Town Council.

§ 2. Notice of Limits of Wards and Number of Councillors to be published.
3. Sheriff may act when extended Boundaries are in another County.
4. Expenses with respect to Proceedings under this Act to be paid by Town Council of Burgh.

Bridlington Harbour. See *Harbours.*

Brighton. See *Local Government.*

British Forces in India. See *East India.*

British White Herring Fishery (Scotland).

24 & 25 Vict. c. 72.—An Act to make further Provision for the Regulation of the British White Herring Fishery in Scotland. Page 246

Preamble recites 23 & 24 Vict. c. 92.
§ 1. Penalty for selling, &c. Herrings during Close Time.
2. Penalty for selling, &c. Herrings taken contrary to Provisions of 14 & 15 Vict. c. 26. s. 6.
3. Penalty for defacing Marks or Numbers on Boats, Sails, &c.
4. Herrings, &c. seized to be forfeited.
5. Regulations may be made suspending Provisions of Act, to admit of Sprat Fishing within Part of Firth of Forth.
6. Declaring Import of 13th Section of 23 & 24 Vict. c. 92., as to Nets, &c.
7. Constables acting under Orders of Sheriffs, &c. may exercise Powers of Act.
8. Powers of recited Acts extended to this Act.

Bromsgrove. See *Local Government.*

Buildings (Metropolis). See *Metropolitan Buildings.*

Burford Charities.

24 & 25 Vict. c. 22.—An Act for confirming a Scheme of the Charity Commissioners for certain Charities in the Town and Parish of Burford in the County of Oxford. Page 67

Preamble recites 8th Report of Charity Commissioners, dated 26th February 1861.
§ 1. Scheme in Schedule confirmed.

SCHEDULE; containing Scheme for the Application and Management of the several Charities in Burford, namely:—Poole's Estate, the School, including Wisdom's, Symon's, Reynold's, Rolfe's, Richard Hunt's, and William Hunt's, gifts; the Tradesman's Fund, and Cleaveley's, Hopton's, Lenthall's, Hayter's, and Harris' Gifts; the Fifteenths Estate, or John Hill's Gift; the Great Almshouse and Wisdom's Almshouse; the Church Estate, including More's, Rolfe's, and Hunt's Gifts; and several other Charities.

Burghs. See *Boundaries of Burghs.*
Parochial and Burgh Schools.

C.

Capitular Estates. See *Ecclesiastical Commission.*

Carriage of Gunpowder. See *Gunpowder.*

Carriages. See *Locomotives.*

Charitable Uses.

24 Vict. c. 9.—An Act to amend the Law relating to the Conveyance of Land for Charitable Uses. Page 33

Preamble recites 9 Geo. 2. c. 36. and 9 Geo. 4. c. 85.

§ 1. No future Deed, &c. for Charitable Uses to be void by reason of not being indented, or of specified Stipulations for Donor's Benefit, or (as to Copyholds) for Want of Deed.

2. Where Charitable Uses of any future Deed, &c. is declared by any separate or other Deed, &c., Enrolment of such separate or other Deed, &c. requisite.

3. No past Deed, &c. for Charitable Uses upon valuable Consideration to be void for any Reason if enrolled in Chancery.

4. Where Charitable Uses of any past Deed, &c. not enrolled are declared by any other Deed, &c., Enrolment of such other Deed, &c. sufficient. Where neither Deed, &c. is enrolled, Enrolment of such separate or other Deed, &c. requisite.

§ 5. Act not to invalidate certain Deeds, nor to extend to Deeds, &c. already avoided, or to pending Suits. When Acknowledgment not necessary.
6. Act not to extend to Scotland or Ireland, nor to prejudice the Two Universities, or the Colleges of Eton, Winchester, or Westminster.

Charity Commission. See *Burford. Guildford. Reading. Temple Balsall.*

Chatham Dockyard.

24 & 25 Vict. c. 41.—An Act to enable the Admiralty to acquire Property for the Enlargement of Her Majesty's Dockyard at Chatham in the County of Kent, and to embank Part of the River Medway; and for other Purposes connected therewith. Page 136

§ 1. Interpretation of Terms.
2. Certain Clauses of 8 & 9 Vict. c. 18. incorporated.
3. Power to Admiralty to purchase Lands.
4. Power to the Commissioners to stop up Creeks and abolish Landing Places, Ferries, and Roads.
5. Before abolishing certain existing Landing Places, Admiralty to construct a public Wharf at Eastern Side of proposed new Boundary Wall of Dockyard.
6. Power to the Commissioners to make Embankments.
7. Power to Admiralty to stop up Sewers, &c.
8. Power to survey.
9. Lands purchased to be liable to Land Tax.
10. Services of Notices, &c.
11. Power for Admiralty to withdraw Notice.
12. Errors on Plan or in Book of Reference may be corrected by Justices who shall certify the same. Certificate, &c. to be deposited.
13. Undertaking may be given in lieu of Bond.
14. Power for the Admiralty to sell and let Lands.
15. How Purchase Money to be paid.
16. On Payment of Money, Purchasers to stand seised of Lands purchased by them.
17. Admiralty may sue and be sued, and pay and recover Costs.
18. Purchase Money, &c., how to be provided.
19. Provisions of Act may be applied to any of the Lands already purchased.
20. Nothing to lessen Powers of Admiralty.
21. Protection to Commissioners.
22. Any Two Commissioners may execute Powers.
23. Lord High Admiral to have the same Powers as Commissioners.
24. Saving Rights of the Crown.

§ 25. Saving Rights of Corporation of Rochester.
26. Saving Rights of the Corporation of London.
27. Powers for compulsory Purchases limited.
28. Short Title.

Children. See *Lace Factories.*

Civil Service (*India.*) See *East India.*

Civil Services. See *Public Works.*

Coal and Wine Duties (*Port of London*).

24 & 25 Vict. c. 42.—An Act to continue the Duties levied on Coal and Wine by the Corporation of London. Page 144

Preamble recites 5 & 6 W. & M. c. 10., 1 & 2 Will. 4., c. 76., 1 & 2 Vict. c. 101., 8 & 9 Vict. c. 101., and 14 & 15 Vict. c. 146.
§§ 1, 2. Continuation of Wine and Coal Duties until 5th July 1872.
3. Metropolitan Police District substituted for the London District.
4. Commencement of Metropolitan Police District to be marked in Canals, Railways, and Roads.
5. Application of Duties to the Purposes of the Thames Embankment.
6. Application of the Duty of 4*d.* to the Payment of the Interest and Principal of Sums charged thereupon for Improvements.
7. Drawback upon Coals to continue to be allowed.
8. Duty to be laid out and form an accumulating Fund for Improvements till appropriated by Parliament.
9. Consolidation of Improvement Funds.
10. Continuance of above-mentioned Acts, except as altered.
11. Short Title.

Coinage Offences.

24 & 25 Vict. c. 99.—An Act to consolidate and amend the Statute Law of the United Kingdom against Offences relating to the Coin. Page 412
§ 1. Interpretation of Terms.
2. Counterfeiting the Gold or Silver Coin.
3. Colouring counterfeit Coin or any Pieces of Metal with Intent to make them pass for Gold or Silver Coin. Colouring or altering genuine Coin with Intent to make it pass for a higher Coin.

Coinage Offences

§ 4. Impairing the Gold or Silver Coin, with Intent, &c.
5. Unlawful Possession of Filings or Clippings of Gold or Silver Coin.
6. Buying or selling, &c. counterfeit Gold or Silver Coin for lower Value than its Denomination.
7. Importing counterfeit Coin from beyond Seas.
8. Exporting counterfeit Coin.
9. Uttering counterfeit Gold or Silver Coin.
10. Uttering, accompanied by Possession of other counterfeit Coin, or followed by a Second Uttering.
11. Having Three or more Pieces of counterfeit Gold or Silver Coin in possession, &c., with Intent, &c.
12. Every Second Offence of uttering, &c. after a previous Conviction shall be Felony.
13. Uttering Foreign Coin, Medals, &c. as current Coin, with Intent to defraud.
14. Counterfeiting, &c. Copper Coin.
15. Uttering base Copper Coin.
16. Defacing the Coin by stamping Words thereon.
17. Tender of Coin so defaced not to be a legal Tender, and Penalty for uttering the same.
18. Counterfeiting Foreign Gold and Silver Coin.
19. Bringing such counterfeit Coin into the United Kingdom.
20. Penalty for uttering such counterfeit Coin.
21. Second and Third Offence of uttering counterfeit Foreign Coin.
22. Persons counterfeiting Foreign Coin other than Gold and Silver Coin.
23. Penalty on Persons having more than Five Pieces of such counterfeit Foreign Coin in their Possession.
24. Making, mending, or having Possession of any Coining Tools, Felony.
25. Conveying Tools or Monies out of the Mint without Authority, Felony.
26. Coin suspected to be diminished or counterfeit may be cut by any Person to whom it is tendered. Who shall bear the Loss.
27. Provision for the Discovery and Seizure of counterfeit Coin and Coining Tools, for securing them as Evidence, and for ultimately disposing of them.
28. Venue.
29. What shall be sufficient Proof of Coin being counterfeit.
30. Where the counterfeiting Coin shall be complete.
31. Any Person may apprehend any Person committing any indictable Offence against this Act.
32. No Certiorari, &c.
33. Venue in Proceedings against Persons acting under this Act. Notice of Action. General Issue. Tender of Amends, &c.
34. Trial of Offences in Scotland.

§ 35. Punishment of Principal in the Second Degree, and Accessories.
36. Offences committed within the Jurisdiction of the Admiralty.
37. What shall be sufficient Evidence of Conviction for a previous Offence. When the previous Conviction is to be proved on the Trial.
38. Fine and Sureties for keeping the Peace; in what Cases.
39. Hard Labour.
40. Solitary Confinement.
41. Summary Proceedings in England may be under the 11 & 12 Vict. c. 43., and in Ireland under the 14 & 15 Vict. c. 93. Except in London and the Metropolitan Police District.
42. Costs of Prosecutions.
43. Commencement of Act, 1st November 1861.

Collection of County Cess. See *County Cess.*

Colonies. For Matters relating specially to the Colonies, see the following Heads:—

Australian Colonies.
East India.
New Zealand.
Passengers.
Queensland.
Sierra Leone.
South Australia.

Combination of Parishes Dissolution (Scotland).

24 Vict. c. 18.—An Act to make Provision for the Dissolution of Combinations of Parishes in Scotland as to the Management of the Poor. Page 51

Preamble recites 8 & 9 Vict. c. 83.
§ 1. Parochial Board of Combination may appoint Special Meeting for Application for Dissolution.
2. Intimation of Special Meeting.
3. Special Meeting may authorize Application to Board of Supervision.
4, 5. Board of Supervision may thereupon dissolve Combination; and decide all Questions between the Parishes.
6. After Dissolution, Management of Poor to proceed as if Parishes never combined.
7. If Application refused, not to be renewed till after Lapse of Five Years.

Commissioners of Works. See *Public Offices.*

Common Fund of Unions. See *Poor.*

Common Law Procedure. See *Bills of Exchange.*

Commons Inclosure.

24 Vict. c. 1.—An Act to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for England and Wales. Page 1

24 & 25 Vict. c. 38.—An Act to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners. Page 110

[*The Lands authorized to be inclosed are set out in the Schedules.*]

Conjugal Rights (Scotland).

24 & 25 Vict. c. 86.—An Act to amend the Law regarding Conjugal Rights in Scotland. Page 289

§ 1. A Wife deserted by her Husband may apply for an Order to protect Property which she has or may acquire by her own Industry, or which she may succeed to.

2. Husband or Creditor may apply by Petition for Recal of Order.

3. Interlocutors may be reviewed. How long Order of Protection to continue operative. No Action of Adherence competent while Order subsists.

4. After Interlocutor of Protection is pronounced, Property of Wife to belong to her as if unmarried.

5. Order of Protection to have Effect of Decree of Separation.

6. In case of Separation the Property of the Wife to belong to her exclusively of the Jus mariti and Right of Administration; also for Purposes of Contract and suing.

7. In Action of Divorce Adulterer to be Co-Defender.

8. Lord Advocate may enter Appearance in Actions for Nullity of Marriage and Divorce.

9. In Action for Separation, Court may make Interim Orders with respect to Children.

10. In every Consistorial Action the Summons to be served on Defender personally when not within Scotland.

11. Not necessary to institute an Action of Adherence against Defender prior to Action for Divorce.

12. Terce claimable from Burgage Property.

13. Lord Ordinary to take Proofs in Consistorial Actions.

§ 14. Payment to certain Sheriffs.
15. Actions of Aliment.
16. When a married Woman succeeds to Property, &c., Husband or Creditor not entitled to claim the same.
17. Court of Session empowered to make Acts of Sederunt.
18. Repeal of Laws inconsistent with this Act.
19. Interpretation of Terms.
20. Short Title.
21. Commencement of Act, 1st November 1861.

Consolidated Fund. See *Revenue, Public, &c. Public Works, &c.*

Consolidation of the Criminal Law. See *Criminal Statutes Repeal. Accessories and Abettors. Coinage Offences. Forgery. Larceny. Malicious Injuries to Property. Offences against the Person.*

Contributions by Counties. See *Queen's Prison.*

Contributions by Parishes. See *Poor.*

Conveyance of Land. See *Charitable Uses.*

Copy of Court Roll. See *Ecclesiastical Leases.*

Copyright of Designs.

24 & 25 Vict. c. 73.—An Act to amend the Law relating to the Copyright of Designs. Page 248

Preamble recites 5 & 6 Vict. c. 100.
§ 1. Extending 5 & 6 Vict. c. 100., and other Acts relating to Copyright of Designs.
2. Acts not to be construed to apply to Her Majesty's Subjects.

Cork Infirmary.

24 & 25 Vict. c. 29.—An Act to authorize the Removal of the Infirmary for the County of Cork from the Town of Mallow to the City of Cork. Page 89

Preamble recites 5 Geo. 3. (I.) c. 20., and 11 & 12 Geo. 3. (I.) c. 23.

Cornwall - - - County.

§ 1. Grand Jury of County of Cork may remove the Infirmary for the County of Cork from Mallow to the City of Cork.
2. Lord Lieutenant may direct the old Cork Lunatic Asylum to be transferred to the Trustees of the South Charitable Infirmary for the Purposes of this Act.
3. Saving Rights of W. Galwey, Surgeon of County of Cork Infirmary under 5 Geo. 3. (I.) c. 20., as amended by 14 & 15 Vict. c. 68.

Cornwall, Duke of. See *Crown Suits Limitation.*

Corporations, Municipal. See *Municipal Corporations.*

Corrupt Practices Prevention.

24 & 25 Vict. c. 122.—An Act to continue the Corrupt Practices Prevention Act (1854). Page 575

Preamble recites 17 & 18 Vict. c. 102., 21 & 22 Vict. c. 87., and 23 & 24 Vict. c. 99.
§ 1. First-recited Act continued until 1st September 1862, and until End of then next Session.

Council (East Indies). See *East India.*

Counties, Contributions by. See *Queen's Prison.*

County Cess (Ireland).

24 & 25 Vict. c. 58.—An Act to continue the Act 11 & 12 Vict. c. 32. relating to the Collection of County Cess in Ireland. Page 196

Preamble recites 11 & 12 Vict. c. 32., 16 & 17 Vict. c. 13., 20 & 21 Vict. c. 7., and 22 & 23 Vict. c. 23.
§ 1. Provisions in first-recited Act relating to Collection of County Cess continued until 1st August 1863, and until End of then next Session.

County Courts. See *Bankruptcy and Insolvency.*

County Surveyors, &c. (Ireland).

24 & 25 Vict. c. 63.—An Act to enable Grand Juries in Ireland to increase the Remuneration of County Surveyors, and for other Purposes. Page 209

Preamble recites 6 & 7 Will. 4. c. 116.

§ 1. Short Title.
2. This Act incorporated with recited Act.
3. Interpretation of Terms.
4. Grand Jury at Summer Assizes held after passing of this Act may resolve that Salary of County Surveyor be altered.
5. Grand Jury at next succeeding Assizes may adopt or reject such Application, or agree to it in a modified Form.
6. Grand Jury may, on Increase of Salary to County Surveyor, require that he shall not engage in private Practice.
7. Grand Juries may increase Salaries of Assistants to Surveyors.

SCHEDULE: Classification of Counties.

County Voters (Scotland). See *Voters (Scotland).*

Courts. See *Admiralty. Bankruptcy. Divorce (Scotland). Foreign Countries. Landed Estates Court. Probate Court.*

Criminal Law Consolidation.

24 & 25 Vict. c. 95.—An Act to repeal certain Enactments which have been consolidated in several Acts of the present Session relating to indictable Offences and other Matters. Page 321

§ 1. Repeal of Acts and Parts of Acts mentioned in Schedule. Exception in Cases where Act or Part of Act relates to Scotland.
2. Repeal not to affect the Colonies in certain Cases.
3. Repeal not to affect Offences, &c. committed before the Commencement of this Act.
4. Repeal not to affect any Authority to amend Registers of Births, &c.

See also *Accessories and Abettors. Coinage Offences. Forgery. Larceny. Malicious Injuries to Property. Offences against the Person.*

Criminal Proceedings Oath Relief.

24 & 25 Vict. c. 66.—An Act to give Relief to Persons who may refuse or be unwilling, from alleged conscientious Motives, to be sworn in Criminal Proceedings. Page 215

§ 1. Persons refusing from conscientious Motives to be sworn in Criminal Proceedings to be permitted to make a solemn Affirmation or Declaration.
2. Punishment for making false Affirmation.
3. Commencement of Act, 1st October 1861.

Crown Suits Limitation.

24 & 25 Vict. c. 62.—An Act to amend the Act 9 Geo. 3. c. 16., for quieting Possessions and Titles against the Crown, and also certain Acts for the like Object relating to Suits by the Duke of Cornwall. Page 207

§ 1. The Crown not to sue after 60 Years by reason of Lands having been in charge, &c.
2. Provisions of this Act to apply to Actions by the Duke of Cornwall, and to Provisions of 7 & 8 Vict. c. 105. and 23 & 24 Vict. c. 53.
3. Provision as to the answering of Rent, &c. to the Crown.
4. Preserving Right to Reversionary Interests.
5. Act not to apply to existing Suits.

Customs and Inland Revenue.

24 Vict. c. 20.—An Act to continue certain Duties of Customs and Inland Revenue for the Service of Her Majesty, and to alter and repeal certain other Duties. Page 53

§ 1. Grant of Duties specified in Schedules (A.), (B.), and (C.)
2. Provisions of former Acts to apply to this Act.
3. Persons entrusted with the Payment of Dividends and Interest due since 5th April 1861, and before the passing of this Act, to make Returns thereof to the Special Commissioners in order to the Assessment of the Persons who have received such Dividends and Interest. Dividends and Interest due since 5th April to be assessed by the Special Commissioners.

§ 4. On and after 1st October 1861, the Excise Duties, Allowances, and Drawbacks on Paper, and Customs Duties on Articles specified in Schedule (D.), repealed, except as to Arrears and Penalties.
5. Stationers entitled to Allowance of Excise Duty in respect of unbroken Reams, &c. of Paper in their Stock.
6. Mode of claiming Allowance of Excise Duty on Paper.
7. Officer to examine Claims and Stock, and to grant Certificate of Allowance.
8. Declaration to be made of the Truth of the Certificate, and Collector to pay the Amount of the Allowance.
9. Penalty for forged or false Certificate or false Declaration.
SCHEDULE (A.)—Containing the Rates and Duties of Customs granted, and the Drawbacks allowed on certain Articles, by this Act.
SCHEDULE (B.)—Containing the Duties of Excise granted by this Act.
SCHEDULE (C.)—Containing the Rates and Duties of Income Tax granted by this Act.
SCHEDULE (D.)—Specifying the Articles upon which Customs Duties are to cease by this Act.

D.

Dealers in old Metals.

24 & 25 Vict. c. 110.—An Act for regulating the Business of Dealers in old Metals. Page 525

§ 1. Short Title.
2. Commencement of Act, 1st January 1862.
3. Definition of Terms.
4. Penalty on Dealer in old Metals being in possession of stolen Property.
5. Justices may order Dealer to be registered.
6. Dealer to give Notice of Change of Place of Business.
7. Inspectors and Serjeants of Police to visit Places of Business of registered Dealers in old Metals.
8. Regulations to be observed by registered Dealers in old Metals.
9. Recovery of Penalties. 11 & 12 Vict. c. 43.
10. Application of Penalties.
11. Appeal in certain Cases.
12. Limit of Act to England only.
SCHEDULE.

Dean Forest and Hundred of Saint Briavels.

24 & 25 Vict. c. 40.—An Act to make further Provision for the Management of Her Majesty's Forest of Dean, and of the Mines and Quarries therein and in the Hundred of Saint Briavels in the County of Gloucester. Page 123

Preamble recites 1 & 2 Vict. c. 43.

§ 1. Declaration of the Interest conferred on a Galee by the Grant of a Gale.

2. Conditions on which all Leases of Stone, Clay, or Sand are held.

3. Nothing in Act to affect Right of Re-entry, &c.

4. Person in actual Possession or Receipt of Proceeds of Gale to pay the Rent.

5. Empowering the Gaveller to sue in the County Court.

6. Enlarging the Powers conferred by 25th Section of the recited Act as to Leases of Land for Mining Purposes.

7. Provision as to the Days for the Cesser and Determination of the Galeage and other Rents.

8. Extending Powers of the Arbitrator under 27th, 47th, and other Sections of the recited Act.

9. Power to Gaveller or Deputy Gaveller to refuse the Registry of any Transfer until the Rent has been paid.

10. As to the Form of Minute of Registry.

11. Power to refuse the Registry of any Transfer which is imperfect.

12. Gaveller or Deputy Gaveller empowered to endorse Memorandum of Entry of Transfer on the last preceding Transfer instead of upon the original Certificate of the Grant of a Gale.

13. Provision as to Fee for Entry of Minute of Transfer.

14. All unregistered Transfers to be void.

15. Empowering the Commissioners of Woods to grant Licences to sink Pits and to use or exercise other Rights and Easements, &c. in Inclosures and other Lands in the Forest.

16. Varying the Powers of the Gaveller as to awarding Compensation for Surface Damage to inclosed Lands.

17. Commissioners of Woods may grant Leases of any Clay or Sand which may be found in any Mine or Pit.

18. Varying the Third Rule relating to Surrender of Quarries by substituting Michaelmas Day for Lady Day.

19. All Gales of Coal or Iron Mines, and all Gales or Leases of Quarries determined by Notice, to be void without any Deed, Surrender, or other Act.

§ 20. Surrenders other than by Notice may be made and accepted by the Gaveller on behalf of Her Majesty.
21. Gaveller or Deputy Gaveller, with Consent of Owners, may unite or divide Two or more Gales or Parts of Gales, and regrant them to the Persons entitled after Surrender duly made.
22. All Instruments already made or hereafter to be made by or on behalf of Her Majesty in relation to the Forest or Hundred to be exempt from Stamp Duty.
23. Gaveller or Deputy Gaveller to settle any Disputes as to Boundaries, and to alter (with Consent of Owners) the Boundaries of any adjoining Gales.
24. Power to the Gaveller or Deputy Gaveller to license the working and disposing of the Coal in any Barrier.
25. Explaining the Provisions of the 10 Geo. 4. c. 50. and 1 & 2 Vict. c. 42. as to Trespasses in the Forest.
26. Provision as to Woodmen's or Labourers Cottages in the Forest.
27. All Acts authorized to be done by Commissioners of Woods, &c. may be done by One Officer, &c.
28. 1 & 2 Vict. c. 43. and this Act to be construed as One.
SCHEDULE.

Declarations. See *Oaths.*

Desertion. See *Mutiny.*

Designs, Copyright of. See *Copyright of Designs.*

Differential Dues, Abolition of. See *Harbours.*

Disembodied Militia. See *Militia.*

Divorce (Scotland).

24 & 25 Vict. c. 86.—An Act to amend the Law regarding Conjugal Rights in Scotland. Page 289
§ 1. A Wife deserted by her Husband may apply for an Order to protect Property which she has or may acquire by her own Industry, or which she may succeed to.
2. Husband or Creditor may apply by Petition for Recal of Order.

§ 3. Interlocutors may be reviewed. How long Order of Protection to continue operative. No Action of Adherence competent while Order subsists.
4. After Interlocutor of Protection is pronounced, Property of Wife to belong to her as if unmarried.
5. Order of Protection to have Effect of Decree of Separation.
6. In case of Separation the Property of the Wife to belong to her exclusively of the Jus mariti and Right of Administration; also for Purposes of Contract and suing.
7. In Action of Divorce Adulterer to be Co-Defender.
8. Lord Advocate may enter Appearance in Actions for Nullity of Marriage and Divorce.
9. In Action for Separation, Court may make Interim Orders with respect to Children.
10. In every Consistorial Action the Summons to be served on Defender personally when not within Scotland.
11. Not necessary to institute an Action of Adherence against Defender prior to Action for Divorce.
12. Terce claimable from Burgage Property.
13. Lord Ordinary to take Proofs in Consistorial Actions.
14. Payment to certain Sheriffs.
15. Actions of Aliment.
16. When a married Woman succeeds to Property, &c., Husband or Creditor not entitled to claim the same.
17. Court of Session empowered to make Acts of Sederunt.
18. Repeal of Laws inconsistent with this Act.
19. Interpretation of Terms.
20. Short Title.
21. Commencement of Act, 1st November 1861.

Docks at Leith. See *Leith Harbour and Docks.*

Domicile of British Subjects abroad. See *Wills, &c.*

Dover Harbour. See *Harbours.*

Drainage of Land.

24 & 25 Vict. c. 133.—An Act to amend the Law relating to the Drainage of Land for Agricultural Purposes. Page 608

Preliminary.

§ 1. Short Title:—"The Land Drainage Act, 1861."
2. Act to apply to England only.
3. Definition of Terms.

PART I.—*Commissions of Sewers.*

§ 4. Commissions of Sewers may be issued for new Areas on Recommendation of Inclosure Commissioners.
5. Recommendation of Inclosure Commissioners to be obtained on Petition of Proprietors, after Investigation by an Inspector.
6. Definition of Proprietors.
7. Trustees to be deemed Proprietors in certain Cases.
8. Provision as to Proprietorship by Corporations and Companies.
9. Provision as to Joint Proprietors.
10. Provision in case of no Proprietor.
11. Powers of Inspector.
12. Expenses incurred in obtaining the Issue of a Commission of Sewers under this Act.
13. Evidence of Issue of Commission.
14. Duration of Commissions of Sewers.
15. Quorum of Commissioners.
16. Declaration of Powers of Commissioners.
17. Restrictions as to Obstructions.
18. Questions as to Right to remove any Obstructions.
19. Consequences of Determination of Question.
20. Amount of Compensation how ascertained.
21. Restrictions as to Purchase of Land.
22. Publication of Notices.
23. Petition to Inclosure Commissioners.
24. Inquiries by Inclosure Commissioners.
25. Notice of Inquiries.
26. Provisional Order by Inclosure Commissioners to be confirmed by Parliament.
27. Expenses of obtaining Provisional Order.
28. Provisions of 8 & 9 Vict. c. 18., and 23 & 24 Vict. c. 106. incorporated with this Act.
29. Notice to be given of certain Works.
30. Correction of List of Proprietors.
31. Dissent of Proprietors of One Half of Area conclusive against new Works.
32. Provision in case of no Proprietor.
33. Jury may be dispensed with under certain Conditions.
34. Power to commute Liabilities to repair by reason of Tenure.
35. Nature of Commutation.
36. Deposit of Record of Commutation.
37. Saving of existing Liabilities to repair.
38. Regulations as to Rating.
39. Overseers to allow Inspection of Poor Rates.
40. Mortgage of Rates.
41. Certain Clauses of 10 & 11 Vict. c. 16. incorporated with this Act.
42. Notices by Commissioners how to be signed.
43. Notices to be binding on Assigns.

§ 44. Notices on Owners to be served personally, or left at their Places of Abode.
45. Notices to Corporations to be left at their principal Office.
46. Service of Notices on Occupiers.
47. Appeal to Quarter Sessions.
48. Power to refer Case to Arbitration.
49. Common Law Procedure Act (17 & 18 Vict. c. 125.) incorporated with this Act.
50. Decision of Questions by Justices or Arbitration.
51. Recovery of Penalties.
52. Costs of legal Proceedings on the Part of Commissioners.
53. Tender of Amends.
54. Saving Rights of Canal Owners and Wharfingers.
55. Commissioners not to divert Rivers so as to injure Harbours.
56. Power for Canal Commissioners to alter Sewers.
57. Exemptions under Local Acts preserved.
58. Penalty for draining into Sewers without Consent of Commissioners.
59. Powers of Commissioners of Sewers and Drainage Boards to enter into Arrangement.
60. Powers of Act cumulative.
61. Not to affect Contracts between Landlord and Tenant.
62. Provision in case of Alteration of Local Boundaries.

PART II.—*Elective Drainage Districts.*

63. Constitution of Elective Drainage Districts.
64. Mode of constituting Elective Drainage District.
65. Evidence of Constitution of District.
66. Constitution of Drainage Boards.
67. Powers of Drainage Board.
68. Regulations as to Drainage Boards.
69. Rules to be observed with respect to Electors of Drainage Board.
70. Mode of Election of Drainage Boards, and Proceedings thereof.
71. Certain Provisions of 10 & 11 Vict. c. 16. incorporated with this Act.

PART III.—*Power of Private Owners to procure Outfalls.*

72. Application for Outfall to adjoining Owner.
73. Mode of making Application.
74. Assent of adjoining Owner.
75. Record of Assent of adjoining Owner.
76. Dissent of adjoining Owner.
77. Application of Compensation in case of Owners under Disability.
78. Duty of Arbitrators.
79. Power of Applicant to clear Drains.
80. Power of adjoining Owner to divert Drains.

§ 81. Penalty for obstructing or injuring Drains.
82. Costs of Application.
83. Provision in case of Change of natural Outfall.
SCHEDULES.

Drunkenness (Ireland).

24 & 25 Vict. c. 49.—An Act to enable Justices in Ireland to commit to local Bridewells Persons convicted of Drunkenness. Page 184

§ 1. Short Title:—"The Petty Sessions, Ireland, Amendment Act, 1861."
2. Committal for Drunkenness for a Period not less than Forty-eight Hours, may be to a local although not a District or certified Bridewell.

Dublin:

1.—*Borough of Dublin Improvement.*

24 & 25 Vict. c. 26.—An Act to amend the Dublin Improvement Act, 1849. Page 84

Preamble recites 12 & 13 Vict. c. 97.
§ 1. Short Title:—"The Dublin Improvement Act (1861)."
2. Recited Act and the Acts incorporated therewith, and this Act, to form One Act.
3. Interpretation of Terms.
4. Limits of Act.
5. Council of the Borough to carry Act into execution.
6. Owners, &c. to remove future Projections on Notice from Corporation.
7. Corporation may remove existing Projections and make Compensation for same.
8. Period within which Notice for Removal of Obstructions to be given.
9. Rules as to Projections from new Buildings.
10. Buildings not to be brought beyond Line of Street.
11. Corporation in certain Cases may compel Owners, &c. of Houses to construct Drains into the Common Sewer.
12. As to Orders to be made under this Act.
13. Expenses of Act to be paid by the Corporation of Dublin.

2.—*Dublin Revising Barristers.*

24 & 25 Vict. c. 56.—An Act to make Provision for Salaries for the Revising Barristers for the City of Dublin. Page 195

Preamble recites 20 & 21 Vict. c. 68.
§ 1. Dublin Revising Barristers to be paid an annual Salary in lieu of Remuneration authorized by recited Act.

§ 2. Barristers appointed to act for others during Illness to be paid out of their Salaries.
3. The Act 20 & 21 Vict. c. 68. and this Act to be as One.

Duchy of Cornwall. See *Crown Suits.*

Durham. See *Local Government.*

Durham University.

24 & 25 Vict. c. 82.—An Act for making Provision for the good Government and Extension of the University of Durham. Page 266

§ 1. Short Title.
2. Appointment of Commissioners.
3. Duration of Powers of Commissioners.
4. Vacancy in Number of Commissioners.
5. Commissioners empowered to require Production of Documents.
6. Powers of Commissioners.
7. Restrictions on Exercise of Powers by Commissioners.
8. Ordinances to be laid before the Queen in Council.
9. Statutes to be laid before Parliament.
10. Statutes by Commissioners subject to Repeal, &c.
11. Persons becoming Members not to possess vested Interests.
12. Powers of University to continue in force, as altered by this Act.
13. Interpretation of Terms.

Duties, Rates, and Taxes. See *Assessments. Coal and Wine Duties. County Cess. Customs. Excise. Inland Revenue. Passing Tolls. Stamp Duties.*

Dwellings for the Labouring Poor.

24 & 25 Vict. c. 34.—An Act to extend the Provisions of the Acts to facilitate the Improvement of Landed Property in Ireland, and to further provide for the Erection of Dwellings for the Labouring Poor in Ireland. Page 105

Preamble recites 23 Vict. c. 19., &c.
§ 1. Loans may be made for the Erection of Dwellings for Labourers and their Families, notwithstanding previous Loans.

E.

East Cowes. See *Local Government.*

East India :

1.—*Army, &c.*

24 & 25 Vict. c. 74.—An Act to render lawful the Enlistment of Persons transferred from the Indian to the General Forces of Her Majesty, and to provide in certain respects for the Rights of such Persons. Page 248

§ 1. Enlistment of Soldiers transferred from the Indian to the General Forces of Her Majesty to be valid for the unexpired Portions of the Service of such Soldiers.
2. Persons so transferred to be accounted natural-born Subjects for Purposes of Military Service.
3. Rights of Persons so transferred to Pensions for Service in Her Majesty's General Forces.
4. No Enlistment in India invalid by reason of the Absence of a Warrant from the Secretary at War, or because made out of Her Majesty's Dominions.
SCHEDULE.

24 & 25 Vict. c. 89.—An Act to increase the Amount payable out of the Revenues of India in respect of the Retiring Pay, Pensions, and other Expenses of that Nature, of Her Majesty's British Forces serving in India. Page 296

Preamble recites 4 Geo. 4. c. 71.
§ 1. Recited Act partly repealed.
2. Charge on Revenues of India for 1861–2.

2.—*Civil Service, &c.*

24 & 25 Vict. c. 54.—An Act to confirm certain Appointments in India, and to amend the Law concerning the Civil Service there. Page 191

Preamble recites 33 Geo. 3. c. 52.
§ 1. Appointments not in accordance with 33 Geo. 3. c. 52. valid.
2. Vacancies in Offices to be supplied by Covenanted Civil Servants.
3. Persons not Covenanted Civil Servants may, under special Circumstances, be appointed to such Offices, subject to certain Restrictions.

§ 4. Such Appointment in each Case to be reported to the Secretary of State.
5. Certain Offices may be filled up without regard to Restrictions prescribed by recited Act.
6. Act not to apply to Office of Lieutenant Governor, &c.
7. So much of 33 Geo. 3. c. 52. as requires Seniority, &c. for Appointments repealed.
SCHEDULE.

3.—*Council, &c.*

24 & 25 Vict. c. 67.—An Act to make better Provision for the Constitution of the Council of the Governor General of India, and for the Local Government of the several Presidencies and Provinces of India, and for the temporary Government of India in the event of a Vacancy in the Office of Governor General. Page 216

§ 1. Short Title:—"The Indian Councils Act, 1861."
2. Sections 40, 43, 44, 50, 66, 70, and so much of Sections 61, and 64 as relates to Vacancies in the Office of ordinary Member of the Council of India, of 3 & 4 Vict. c. 85., and Sections 22, 23, 24, and 26 of 16 & 17 Vict. c. 95., and the Act 23 & 24 Vict. c. 87., repealed.
3. Composition of the Council of the Governor General of India.
4. Present Members of Council to continue.
5. Power of making provisional Appointments of Members of Council by Secretary of State.
6. Provision on Absence of Governor General in other Parts of India.
7. Provision on Absence of Governor General from Meeting.
8. Power of Governor General to make Rules for Conduct of Business.
9. Power to Council to assemble at any Place in India.
10. Additional Members to be summoned for the Purpose of making Laws and Regulations.
11. Additional Members to be appointed for Two Years.
12. Resignation of additional Members.
13. Power to fill up Vacancy in Number of additional Members.
14. No Law to be invalid by reason of Number of non-official Members being incomplete.
15. Senior ordinary Member of Council to preside at Meetings for making Laws and Regulations in Absence of Governor General, &c.
16. Governor General to appoint First Meeting for making Laws and Regulations.
17. Power to appoint and adjourn Meetings for making Laws and Regulations.

§ 18. Governor General to make Rules for Conduct of Business at such Meetings.
19. Business to be transacted at such Meetings.
20. Assent of Governor General to Laws made at such Meetings.
21. Power of the Crown to disallow Laws made at such Meetings.
22. Extent of the Powers of the Governor General in Council to make Laws and Regulations at such Meetings.
23. Governor General may make Ordinances having Force of Law in Cases of urgent Necessity.
24. No Law, &c. invalid by reason of it affecting any Prerogative of the Crown.
25. Laws made for the Non-Regulation Provinces declared valid.
26. Provision for Leave of Absence to an ordinary Member of Council.
27. Power of making temporary Appointments of Members of Council by Governor General or Governor of a Presidency.
28. Power to Governors of Fort Saint George and Bombay to make Rules for the Conduct of Business.
29. Power to summon additional Members to the Council of Fort Saint George and Bombay for the Purpose of making Laws and Regulations.
30. Additional Members to be appointed for Two Years.
31. Resignation of additional Members.
32. Power to fill up Vacancy in the Number of additional Members.
33. No Law to be invalid by reason of Incompleteness of Number of non-official Members.
34. Senior Civil ordinary Member of Council to preside in Absence of Governor of Presidency.
35. Governor General to fix First Meeting of Councils of Presidencies for making Laws and Regulations.
36. Governors of Presidencies to appoint subsequent Meetings, and adjourn them.
37. Governors to make Rules and Orders for Conduct of Business at such Meetings.
38. Business to be transacted at such Meetings.
39. Governors to assent to Laws and Regulations of Presidencies.
40. Governor General to assent to Laws and Regulations of Presidencies.
41. Power of the Crown to disallow Laws and Regulations of Presidencies.
42. Extent of Power of Governor of Presidency in Council to make Laws and Regulations.
43. Governor of Presidency, except with Sanction of Governor General, not to make or take into consideration certain Laws or Regulations.

§ 44. Governor General may establish Councils for making Laws and Regulations in the Presidency of Fort William in Bengal, and in other Parts of India.
45. Constitution of such Councils.
46. Power to constitute new Provinces, and appoint Lieutenant Governors.
47. Power to alter Boundaries of Provinces.
48. Former Provisions of this Act extended to future Councils.
49. Previous Assent of the Crown necessary to give Validity to any such Proclamation.
50. Provision for the Supply of the Office of Governor General in certain Circumstances.
51. If it appears to Governor necessary to exercise Powers before taking his Seat in Council, he may make his Appointment, &c. known by Proclamation.
52. Nothing in this Act shall derogate from the Powers of the Crown or Secretary of State for India in Council.
53. Meaning of Term "in Council."
54. Time when Act shall come into operation.

4.—High Courts of Judicature.

24 & 25 Vict. c. 104.—An Act for establishing High Courts of Judicature in India. Page 489
§ 1. High Courts may be established in the several Presidencies of India.
2. Constitution of High Courts.
3. Certain existing Judges herein named to be the First Judges of the High Court.
4. Tenure of Office of High Courts.
5. Precedence of Judges of High Courts.
6. Salaries, &c. of Judges of the High Courts.
7. Provision for Vacancy of the Office of Chief Justice or other Judge.
8. Abolition of Supreme Courts and Sudder Courts.
9. Jurisdiction and Powers of High Courts.
10. High Courts to exercise same Jurisdiction as Supreme Courts.
11. Existing Provisions applicable to Supreme Courts to apply to High Courts.
12. Provision as to pending Proceedings in abolished Courts.
13. Power to High Courts to provide for Exercise of Jurisdiction by single Judges or Division Courts.
14. Chief Justice to determine what Judges shall sit alone or in the Division Courts.
15. High Court to superintend and to frame Rules of Practice for subordinate Courts.
16. Her Majesty may establish a High Court in the North-western Provinces.
17. Other or supplemental Charters may be granted within Three Years after Establishment of a Court.

§ 18. Territorial Limits of Jurisdiction of Courts may be altered by Order in Council.
19. Interpretation of Terms.

5.—*Loans.*

24 & 25 Vict. c. 25.—An Act to enable the Secretary of State in Council of India to raise Money in the United Kingdom for the Service of the Government of India. Page 81

§ 1. Power to the Secretary of State in Council of India to raise any Sum not exceeding Four Millions.
2. Bonds may be issued under Hands of Members of Council, countersigned by Secretary or Under Secretary.
3. Debentures may be issued.
4. As to Payment of Principal and Interest on Debentures.
5. Debentures transferable by Delivery or Deed; Coupons by Delivery.
6. Capital Stock and Annuities may be created and issued.
7. Transfer Books of such Capital Stock and Annuities to be kept.
8. Annuities Personal Estate.
9. The whole Amount charged on Revenue of India not to exceed Four Millions.
10. Power to raise Money for Payment of Principal Money.
11. Securities, &c. to be charged on Revenues of India.
12. Provisions as to Composition for Stamp Duties on India Bonds extended to Bonds and Debentures under this Act.
13. Forgery of Debentures to be punishable as Forgery of East India Bonds.
14. Returns to be annually prepared of Monies raised on Loan, &c., and presented to Parliament.
15. Saving Powers of the Secretary of State in Council.

24 & 25 Vict. c. 118.—An Act to enable the Secretary of State in Council of India to raise Money in the United Kingdom for the Service of the Government of India. Page 571

§ 1. Power to the Secretary of State in Council of India to raise any Sum not exceeding Five Millions.
2 to 15. [*Similar Provisions to those of preceding Act.*]

6.—*Red Sea and India Telegraph.*

24 Vict. c. 4.—An Act for amending the Red Sea and India Telegraph Act, 1859. Page 7

§ 1. Construction of Agreement of 18th Nov. 1858, between the Treasury and the Company.
2. This Act and 22 & 23 Vict. c. iv. to be construed together.

East Stonehouse. See *Plymouth Marine Barracks.*

Ecclesiastical Commission :

1.—*Episcopal and Capitular Estates.*

24 & 25 Vict. c. 131.—An Act to continue the Act 14 & 15 Vict. c. 104. concerning the Management of Episcopal and Capitular Estates in England, and further to amend certain Acts relating to the Ecclesiastical Commissioners for England. Page 597

Preamble recites 14 & 15 Vict. c. 104., 17 & 18 Vict. c. 116., 22 & 23 Vict. c. 46., and 23 & 24 Vict. c. 124.

§ 1. Estates of the Archdeaconry of Rochester vested in the Commissioners.

2. The Act 14 & 15 Vict. c. 104., as amended by subsequent Acts, continued until 1st January 1863.

2.—*Windsor Suspended Canonries.*

24 & 25 Vict. c. 116.—An Act for the Appropriation in favour of the Military Knights and the Churches of Windsor of Two of the Canonries suspended in the Chapel of Windsor, and for making certain Provisions respecting the Naval Knights of Windsor. Page 565

§ 1. Appropriation of Profits of Seventh Canonry to Military Knights.

2. Appropriation of Profits of Eighth Canonry to Incumbent of Churches.

3. Mode of ascertaining Amount of Payments to be retained.

4. Lieutenants succeeding to Rank of Retired Commander shall continue Poor Knights.

Ecclesiastical Leases.

24 & 25 Vict. c. 105.—An Act to prevent the future Grant by Copy of Court Roll and certain Leases of Lands and Hereditaments in England belonging to Ecclesiastical Benefices. Page 494

§ 1. No Grant by any future Prebendary, Rector, &c. to be valid unless made in conformity with the Provisions of certain Acts.

2. Reserving Rights of present Incumbents and other Rights.

3. Rectors to have same Powers of Sale as are possessed by Ecclesiastical Corporations.

Edinburgh Assessments (Annuity Tax).

24 & 25 Vict. c. 27.—An Act to declare the Limits within which increased Assessments are authorized to be raised in the City of Edinburgh, under the Provisions of the Act 23 & 24 Vict. c. 50. Page 89

§ 1. Declaring Extent of Authority of Magistrates, &c. of City of Edinburgh, under Provisions of recited Act, to levy increased Assessments.
2. Interpretation of Words.

Edinburgh University.

24 & 25 Vict. c. 90.—An Act to make Arrangements as to the Disposal and Management of Property belonging to the University of Edinburgh; and to regulate the Appropriation and Application of the Annuity of Two thousand five hundred Pounds payable from the Revenues of the Harbour and Docks of Leith, under the Authority of the Act 1 & 2 Vict. c. 55. Page 297

Preamble recites 1 & 2 Vict. c. 55. and 21 & 22 Vict. c. 83.
§ 1. Appropriation of Annuity of 2,500*l.* in first-recited Act mentioned.
2. First Payments to be made at Martinmas 1861.
3. Certain Properties and Revenues enumerated to be transferred to the Senatus.
4. Certain Properties and Revenues enumerated in Schedule to be held by the City for the Support of Schools.
5. Short Title.

Elections, Parliamentary. See *Appropriation of Seats. Corrupt Practices. University Elections. Voters (Ireland). Voters (Scotland).*

Employment of the Poor. See *Poor.*

Employment of Women. See *Lace Factories.*

Employments, Qualifications for. See *Indemnity.*

Enlistment in India.

24 & 25 Vict. c. 74.—An Act to render lawful the Enlistment of Persons transferred from the Indian to the General Forces of Her Majesty, and to provide in certain respects for the Rights of such Persons. Page 248

§ 1. Enlistment of Soldiers transferred from the Indian to the General Forces of Her Majesty to be valid for the unexpired Portions of the Service of such Soldiers.
2. Persons so transferred to be accounted natural-born Subjects for Purposes of Military Service.
3. Rights of Persons so transferred to Pensions for Service in Her Majesty's General Forces.
4. No Enlistment in India invalid by reason of the Absence of a Warrant from the Secretary at War, or because made out of Her Majesty's Dominions.

SCHEDULE :—Declaration to be made by Soldiers volunteering from Her Majesty's Indian Forces to Regiments of Her Majesty's General Army.

Episcopal and Capitular Estates. See *Ecclesiastical Commission.*

Exchequer Bills (Supply).

24 Vict. c. 5.—An Act to amend the Law relating to Supply Exchequer Bills, and to charge the same on the Consolidated Fund. Page 8

§ 1. Mode of preparing and issuing Exchequer Bills after passing of this Act.
2. Exchequer Bills to be charged on the Consolidated Fund.
3. Rate of Interest on Exchequer Bills.
4. Exchequer Bills to be advertised for Payment annually.
5. Exchequer Bills to be current for Duties payable to Her Majesty.
6. Power to Treasury to issue Bills in lieu of Bills paid off in Money or paid in for Duties.
7. Power to Treasury to issue new Exchequer Bills to replace former Exchequer Bills to any Amount not exceeding 13,230,000*l.*
8. Interest on Exchequer Bills payable in part of Revenue to be paid.
9. When such Bills are paid in, Parties to write their Names and the Date thereon.
10. Treasury to direct Cheques, Indents, and Counterfoils.
11. Two Counterfoils to be made.
12. Exchequer Bills defaced to be exchanged for new ones.

§ 13. Penalty for forging or counterfeiting Exchequer Bills.
14. Provision in case of Loss, &c. by Casualty or Mischance, of Exchequer Bills.
15. Fractions of a Penny for Interest not payable.
16. As to the Manufacture of Paper to be used for Exchequer Bills.
17. As to present Contracts for Paper, &c.
18. Penalty on Persons manufacturing or using Paper, Plates, or Dies intended to imitate those used for Exchequer Bills.
19. Persons unlawfully having in possession Paper to be used as Exchequer Bills guilty of a Misdemeanor.
20. Bank of England may advance 13,230,000*l.* on the Credit of Bills, notwithstanding 5 & 6 Will. & Mary, c. 20.
21. Act to apply only to Bills issued under this Act.

Excise. See *Inland Revenue.*

Explosive Substances. See *Fireworks.*

F.

Factories.

. 24 & 25 Vict. c. 117.—An Act to place the Employment of Women, young Persons, Youths, and Children in Lace Factories under the Regulations of the Factories Acts. Page 568

Preamble recites 3 & 4 Will. 4. c. 103., 7 & 8 Vict. c. 15., 10 & 11 Vict. c. 29., 13 & 14 Vict. c. 54., 16 & 17 Vict. c. 104., and 19 & 20 Vict. c. 83.
§ 1. Recited Acts to apply to Lace Factories, and to the Employment of Females, young Persons, Youths, and Children therein.
2. Youths between the Age of Sixteen and Eighteen may be employed between 4 a.m. and 10 p.m., but not more than Nine Hours between those Hours.
3. Agents or Workmen may be summoned for acting contrary to the Act without the Knowledge of the Owner, &c.
4. Interpretation of Terms.
5, 6. Provisions of recited Acts relating to Recovery of lost Time not to extend to Lace Factories; and also those relating to fencing Machinery.

Fireworks.

24 & 25 Vict. c. 130.—An Act for amending the Act 23 & 24 Vict. c. 139. to amend the Law concerning the making, keeping, and Carriage of Gunpowder and Compositions of an explosive Nature, and concerning the Manufacture, Sale, and Use of Fireworks. Page 596

§ 1. Transfer of licensing Powers.
2. Table of Fees.
3. Construction of Act with 23 & 24 Vict. c. 139.
4. Section 18. of recited Act to apply to Manufacturers of Safety Fuzes.

Fisheries. See *British White Herring Fishery. Public Works. Salmon Fisheries.*

Foreign Countries, Law of. See *Ascertainment of the Law.*

Foreigners. See *Wills, &c.*

Forest of Dean. See *Dean Forest, &c.*

Forgery.

24 & 25 Vict. c. 98.—An Act to consolidate and amend the Statute Law of England and Ireland relating to indictable Offences by Forgery. Page 393

§ 1. As to forging the Great Seal, Privy Seal, &c.
2. Forging Transfer of certain Stock, and Power of Attorney relating thereto.
3. Personating the Owner of certain Stock, and transferring or receiving or endeavouring to transfer or receive the Dividends.
4. Forging Attestation to Power of Attorney for Transfer of Stock, &c.
5. Making false Entries in the Books of the Public Funds.
6. Clerks of the Bank making out false Dividend Warrants.
7. Forging an East India Bond.
8. Forging Exchequer Bills, Bonds, and Debentures, &c.
9. Making Plates, &c. in imitation of those used for Exchequer Bills, &c.
10. Making Paper in imitation of that used for Exchequer Bills, &c.
11. Having in possession Paper, Plates, or Dies to be used for Exchequer Bills, &c.
12. Forging a Bank Note, &c.
13. Purchasing or receiving or having forged Bank Notes.

Forgery.

§ 14. Making or having Mould for making Paper with the Words "Bank of England," or "Bank of Ireland," or with curved Bar Lines, &c., or selling such Paper.
15. Proviso as to Paper used for Bills of Exchange, &c.
16. Engraving or having any Plate, &c. for making Notes of Bank of England or Ireland, or other Banks, or having such Plate, &c., or uttering or having Paper upon which a blank Bank Note, &c. shall be printed.
17. Engraving on a Plate, &c. any Word, Number, or Device resembling Part of a Bank Note or Bill, or using or having any such Plate, &c., or uttering or having any Paper on which any such Word, &c. is impressed.
18. Making or having Mould for making Paper with the Name of any Banker, or making or having such Paper.
19. Engraving Plates for Foreign Bills or Notes, or using or having such Plates, or uttering Paper on which any Part of any such Bill or Note is printed.
20. Forging Deeds, Bonds, &c.
21. Forging Wills.
22. Forging Bills of Exchange or Promissory Notes.
23. Forging Orders, Receipts, &c. for Money, Goods, &c.
24. Any Person making or accepting any Bill, Note, &c. by Procuration, without lawful Authority, or uttering any such Bill, Note, &c. so made or accepted, with Intent to defraud, to be guilty of Felony.
25. Obliterating Crossings on Cheques.
26. Forging Debentures.
27. Forging Proceedings of Courts of Record or Courts of Equity.
28. Forging Copies or Certificates of Records, Process of Courts not of Record, and using forged Process.
29. Forging Instruments made Evidence by any Act of Parliament.
30. Forging Court Rolls.
31. Forgery as to the Registry of Deeds.
32. Forging Orders of Justices, Recognizances, Affidavits, &c.
33. Forging Name of Accountant General, &c. of Court of Chancery in England or Ireland, or of any Judge of the Landed Estates Court in Ireland.
34. Acknowledging Recognizance, Bail, Cognovit, &c. in the Name of another.
35. Forging or uttering Marriage Licence or Certificate.
36. Forging Registers of Births, Baptisms, Marriages, Deaths, or Burials.
37. Making false Entries in Copies of Register sent to Registrar.
38. Demanding Property upon forged Instruments.
39. Forging any Instrument, however designated, which is in Law a Will, Bill of Exchange, &c.

§ 40. Forging, &c. in England or Ireland Documents purporting to be made, or actually made, out of England and Ireland, forging, &c. in England or Ireland Bills of Exchange, &c. purporting to be payable out of England or Ireland.
41. Forgers, &c. may be tried in the County where they are apprehended or are in Custody.
42. Description of Instrument in Indictments for Forgery.
43. Description of Instrument in Indictments for engraving, &c.
44. Intent to defraud particular Persons need not be alleged or proved.
45. Interpretation as to criminal Possession.
46. Search for Paper or Implements employed in any Forgery, and for forged Instruments.
47. Other Punishments substituted for those of the 5 Eliz. c. 14., which have been adopted in other Acts.
48. All Forgeries which were Capital before the 1 Will. 4. c. 66., and are not otherwise punishable under this Act, shall be punished with Penal Servitude for Life, &c.
49. Principals in the Second Degree and Accessories. Abettors in Misdemeanors.
50. Offences committed within the Jurisdiction of the Admiralty.
51. Fines and Sureties for keeping the Peace; in what Cases.
52. Hard Labour.
53. Solitary Confinement.
54. The Costs of Prosecution of Misdemeanor against this Act may be allowed.
55. Act not to extend to Scotland.
56. Commencement of Act, 1st November 1861.

Frivolous Defences. See *Bills of Exchange.*

Furnaces, Smoke from. See *Smoke Nuisance (Scotland).*

G.

Game Licences. See *Inland Revenue.*

Gas (Metropolis).

24 & 25 Vict. c. 79.—An Act to amend the Metropolis Gas Act (23 & 24 Vict. c. 146). Page 259
§ 1. Powers conferred on Justices of the Peace by 22 & 23 Vict. c. 66., as amended by 23 & 24 Vict. c. 146., in so far as relates to the Metropolis, transferred to the Metropolitan Board of Works.

§ 2. So much of Sect. 1. of 23 & 24 Vict. c. 146. as respects the Metropolis repealed.

Government of the Navy.

24 & 25 Vict. c. 115.—An Act for the Government of the Navy. Page 543

PART I.—*Articles of War.*

§ 1. Public Worship to be performed.
2. Penalty for Misconduct in Action.
3. Penalty for not pursuing the Enemy and of not assisting a Friend in View.
4. Penalty for delaying or discouraging the Service, or deserting his Post, &c.
5. Penalty for Misconduct of subordinate Officers and Men in Action.
6. Penalty for Spies.
7. Penalty for corresponding, &c. with the Enemy.
8. Penalty for improper Communication with the Enemy.
9. Penalty for abandoning Post, &c.
10. Penalty for Mutiny with Violence.
11. Penalty for Mutiny not accompanied by Violence.
12. Penalty for inciting to Mutiny.
13. Penalty for Civilians endeavouring to seduce from Allegiance.
14. Penalty for making mutinous Assemblies or uttering seditious Words.
15. Penalty for concealing any traitorous or mutinous Practice, Design, or Words.
16. Penalty for striking or offering to strike superior Officer.
17. Penalty for Disobedience or using threatening Language to superior Officer.
18. Penalty for quarrelling, &c., or using reproachful Speech or Gestures.
19. Penalty for Desertion.
20. Penalty for inducing any Person to desert.
21. Penalty for entertaining a Deserter.
22. Penalty for Absence without Leave.
23. Penalty for profane Swearing and other Immoralities.
24. Penalty on Officer for Cruelty or Oppression.
25. Penalty for suffering Ships to be improperly lost.
26. Penalty for not taking care of and defending Ships under Convoy.
27. Master of Merchant Vessel to obey Orders of convoying Officer.
28. Penalty for taking any Goods on board other than for the Use of the Vessel, except Gold, Silver, Jewels, &c.
29. Penalty for embezzling Public Stores.

§ 30. Penalty for burning any Magazine or Vessel, &c. not belonging to an Enemy.
31. Penalty for making or signing false Musters.
32. Penalty for Misconduct in Hospital.
33. Penalty for endeavouring to stir up any Disturbance on account of Unwholesomeness of the Victuals or other just Grounds.
34. Penalty for Offences against Naval Discipline not particularly mentioned.
35. Penalty for not sending to the Court of Admiralty all Papers found aboard Prize Ships.
36. Penalty for taking Money or other Effects out of any Prize before the same shall be condemned.
37. Penalty for stripping or ill-using Persons taken on board a Prize.
38. Penalty for Offences punishable by ordinary Law.
39. Offences, when punishable.

PART II.—*General Provisions.*

40. Power of Court-martial to find Intent with which Offence committed.
41. Power of Court-martial to find Prisoner guilty of lesser Offence on Charge of greater.
42. Rebels and Mutineers to be deemed Enemies.
43. Power to arrest Offenders.
44. Penalty for not assisting in Detection of Prisoners.

PART III.—*Regulations as to Punishments.*

45. Punishments which may be inflicted in Her Majesty's Navy.
46. Regulations as to Punishments.
47. Limitation of Time as to Trials.
48. Scale of Punishment.
49. Authorities having Power to try Offences.

PART IV.—*Courts-martial.*

50. Constitution of Courts-martial.
51. Sittings of Courts-martial.
52. Appointment of officiating Judge Advocate.
53. Proceedings at Trial.
54. Oaths to be administered to Members of Courts-martial.
55. Oath to be administered to Judge Advocate, &c.
56. Summoning Witnesses.
57. Penalty on Persons giving false Evidence.
58. Where Persons are insane at the Time of Offence or Trial.
59. Report of Proceedings of Courts-martial.

PART V.—*Penal Servitude and Prisons.*

60. Sentence of Penal Servitude.
61. Disposal of Offender after Sentence of Penal Servitude.

§ 62. Subsistence of Offender.
63. Imprisonment of Offender already under Sentence for previous Offence.
64. Term and Place of Imprisonment.
65. Place of Imprisonment may be changed, &c.
66. Expenses of Removal or Subsistence of Prisoners.
67. Proviso for Discharge or Removal of Prisoners.
68. Proviso as to Time of Detention in Naval Custody.
69. In case of Insanity Prisoners to be removed to some Lunatic Asylum.
70. Admiralty may set apart Buildings and Ships as Naval Prisons.
71. Penalties on aiding Escape or Attempt to escape of Prisoners, and on Breach of Prison Regulations.
72. Penalty as regards Gaolers, &c.
73. Pay to be stopped during Imprisonment, &c.

PART VI.—*Supplemental Provisions.*

74. Short Title :—"The Naval Discipline Act, 1861."
75. Commencement of Act, and Repeal of "The Naval Discipline Act, 1860," (23 & 24 Vict. c. 123.)
76. Definition of Terms.
77. Persons subject to this Act.
78. Land Forces embarked as Passengers.
79. Other Persons embarked as Passengers.
80. Crews of Ships lost or destroyed.
81, 82. All the Officers and Crew of lost Ship may be tried by One Court or by separate Courts.
83. For subsequent Offence, separate Court.
84. Pay of Crews of Ships lost or taken.
85. When Ship of Senior Officer is lost he may dispose of Officers and Crew of lost Ship.

PART VII.—*Saving Clause.*

86. Trial of Offences against repealed Acts.
87. Reservation of Power of Admiralty.
88. Act not to supersede Authority of ordinary Courts.

Government of India. See *East India.*

Government (Local) of Towns. See *Local Government.*

Grand Juries. See *County Surveyors (Ireland).*

Gratuitous Trustees. See *Trustees (Scotland).*

Guildford Hospital.

24 & 25 Vict. c. 32.—An Act for confirming a Scheme of the Charity Commissioners for "The Hospital of the Blessed Trinity," at Guildford in the County of Surrey, and its subsidiary Endowments, with certain Alterations. Page 94

Preamble recites 8th Report of Charity Commissioners, dated 26th February 1861.

§ 1. Scheme in Schedule confirmed.

SCHEDULE, containing Scheme for the Application and Management of the Charity called "The Hospital of the Blessed Trinity" at Guildford in the County of Surrey, and its subsidiary Endowments.

Gunpowder, &c., Sale of.

24 & 25 Vict. c. 130.—An Act for amending the Act 23 & 24 Vict. c. 139. to amend the Law concerning the making, keeping, and Carriage of Gunpowder and Compositions of an explosive Nature, and concerning the Manufacture, Sale, and Use of Fireworks. Page 596

§ 1. Transfer of licensing Powers.

2. Table of Fees.

3. Construction of Act with 23 & 24 Vict. c. 139.

4. Section 18 of recited Act to apply to Manufacturers of Safety Fuzes.

H.

Harbours:

1.—*General Piers and Harbours.*

24 & 25 Vict. c. 45.—An Act to facilitate the Formation, Management, and Maintenance of Piers and Harbours in Great Britain and Ireland. Page 154

§ 1. Short Title:—"The General Pier and Harbour Act, 1861."

2. Interpretation of Terms.

3. Persons may apply to Board of Trade to grant Provisional Orders.

4. Subscribers to Memorial to be Promoters.

5. Promoters to deposit Copies of Memorial and Plans at the Office of the Clerk of the Peace. Notice of Deposit to be given by Advertisement.

§ 6. Promoters to deposit Plans with the Admiralty.
7. Application of 14 & 15 Vict. c. 49. to this Act.
8. Power to Admiralty to remove Works not approved by them.
9. Regulations as to levying of Rates upon Application to Board of Trade.
10. Consent of Commissioners of Woods, &c. to be obtained.
11. Saving Rights of the Crown.
12. Saving Rights of the Duchy of Cornwall.
13. Saving Rights of Conservators of the Rivers Thames and Mersey, &c.
14. Promoters not to do any Act which shall prejudice any Right acquired by Royal Charter, &c.
15. Board of Trade may grant Provisional Orders, subject to Provisions herein named.
16. Order to be deposited with Clerk of the Peace. Notice of Deposit by Advertisement. Board of Trade to obtain Confirmation of Provisional Order by Parliament.
17. Where Petition presented against an Order, Bill confirming same may be referred to Select Committee.
18. Orders, &c. to be signed by One of the Secretaries, &c. of Board of Trade, or by Secretary of the Admiralty.
19. Board of Trade to report to Parliament.
20. Power to Secretary of State for War to take and hold Land, &c. for Batteries, &c.

2.—*Harbours and Passing Tolls, &c.*

24 & 25 Vict. c. 47.—An Act to facilitate the Construction and Improvement of Harbours by authorizing Loans to Harbour Authorities; to abolish Passing Tolls; and for other Purposes. Page 163

Preliminary.

§ 1. Short Title:—"The Harbours and Passing Tolls, &c. Act, 1861."
2. Interpretation of Terms.

PART I.—*Loans to Harbours.*

3. Advances of Money to Harbour Authorities.

PART II.—*Abolition of Passing Tolls.*

4. Abolition of Passing Tolls.
5. Indemnity to Creditors on Passing Tolls.

PART III.—*Abolition of Dues levied by Charitable Corporations.*

6. Abolition of Dues leviable by Charitable Authorities.
7. Dues levied for Shipping Purposes on Ships or Goods which derive no Benefit.

§ 8. Provision for Payment of Pensions granted before 15th March 1861, and for Application of Surplus.
9. List of Pensions to be made out and sent to Board of Trade.

PART IV.—*Abolition of Differential Dues, and Compensation therefor.*

10. Abolition of Differential Dues.
11. Compensation for Differential Dues, when to cease.
12. Compensation, whilst continued, to be limited.
13. Commutation of Compensation.
14. Indemnity to Public Authorities.
15. Power to recover increased Dues.
16. Saving of Rights of Creditors.

PART V.—*Power to Town Corporation, &c. to transfer Shipping Dues to Harbour Authorities.*

17. Power to transfer Dues.
18. Notice of intended Transfer to be given.
19. Evidence of Transfer.
20. Power to borrow Money in order to effect such Transfer.

PART VI.—*Abolition of Special Taxes at Dublin.*

21. Special Taxes at Dublin to be abolished.

PART VII.—*Maintenance of Ramsgate, Dover, Whitby, and Bridlington Harbours.*

22. Transfer of Ramsgate Harbour to Board of Trade.
23. Transfer of Powers to Board of Trade.
24. Debts, &c. of Trustees enforceable against Board of Trade.
25. Accounts of Trustees of Ramsgate Harbour to be made up.
26. Indemnification of Trustees of Ramsgate Harbour.
27. Rates to be taken in Ramsgate Harbour.
28. Board of Trade to receive Per-centage on Salvage.
29. Gross Sum of 2,000*l.* to be paid to Mayor, &c. of Sandwich in lieu of annual Payment of 200*l.*
30. Application of the said Sum of 2,000*l.*
31. Income of Ramsgate Harbour to be carried to Ramsgate Harbour Account.
32. Ramsgate Harbour Accounts to be rendered to the Treasury and signed by Accountant of Board of Trade.
33. Such Accounts to be laid before Parliament.
34. Board of Trade may continue Ramsgate Harbour Superannuation Fund or wind up the same.
35. Board of Trade may allow Compensation to Persons deprived of Offices.

§ 36. Deficiency of Income to be supplied by Monies voted by Parliament.
37. Harbour to be free from Rates.
38. Town Dues on Coal not to be levied in certain Cases.
39. Provisions of 10 & 11 Vict. c. 17. incorporated with this Act.
40. Certain Parts of Property of Trust to be within Ramsgate Police Jurisdiction.
41. Harbour of Dover to be vested in a Board of Trustees to be called "The Dover Harbour Board."
42. Rights of imposing Rates transferred to Dover Harbour Board.
43. Existing Debts, &c. enforceable by or against Board.
44. After 1st January 1862 Board may impose Rates for Harbour Purposes.
45. Debts incurred prior to 15th March 1861, and secured on Passing Tolls, shall be paid by Board out of Rates.
46. Compensation to Officers not re-appointed by Board to Offices of equal Value.
47. Constitution of Dover Harbour Board.
48. Members of Board not to hold Places of Profit or be concerned in Contracts. Contracts and Bargains made contrary hereto to be void. Penalty for so offending.
49. If the Debts are paid out of Public Monies, they may be recovered as Debts due to the Crown.
50. No new Debts to be incurred till existing Debts are discharged, without Treasury consent.
51. Power to Corporation of Dover to transfer Dues to Harbour.
52. Corporation and Harbour Board may apportion Debts as between themselves.
53. Reservation of Rights of Creditors.
54. Debts on Whitby and Bridlington Harbours to be paid out of Consolidated Fund.
55. Compensation to Servants of Whitby Trustees.
56. Trustees and Commissioners not to charge Passing Tolls with further Debts.
57. Power to Trustees of Whitby Harbour to levy Rates.
58. Power to Town Commissioners of Whitby to transfer Dues to Harbour.
59. Reservation of Rights of Creditors.
60. Trustees and Commissioners may apportion Debt as between themselves.
61. Vessels using Whitby Harbour to pay Toll for Support of Tide Lights.
62. Power to Commissioners of Bridlington Harbour to levy Rates.
63. Incorporation of Harbours, Docks, and Piers Clauses Act.

PART VIII.—*Miscellaneous.*

§ 64. Nothing in 22 & 23 Vict. c. 29. deemed to revive Taxes, &c. which, but for 9 & 10 Vict. c. cccxlvi., would have been payable to Marine Society.
65. Title of Board of Trade.
66. Vesting of Property in Board of Trade.
67. Execution of Instruments.
68. Disposition of Monies arising from Sale.
69. Power of Board of Trade to purchase Lands.
SCHEDULES.

See also *Leith Harbour and Docks. Portpatrick Harbour. Public Works.*

Hawkers and Pedlars. See *Inland Revenue.*

Herring Fisheries. See *British White Herring Fishery (Scotland).*

High Court of Admiralty. See *Admiralty, Court of.*

High Court of Judicature in India. See *East India.*

Holyhead Road.

24 & 25 Vict. c. 28.—An Act to relieve certain Trusts on the Holyhead Roads from Debts. Page 89

§ 1. Short Title :—"The Holyhead Road Relief Act, 1861."
2. As to Liquidation of Debt on St. Alban's and Barnet Trust.
3. As to Liquidation of Debt of Highgate Archway Company.
4. Provisions as to Hockliffe and Stratford Trust.
5. Provisions as to Shiffnal District of Watling Street Road Trust.
6. Provisions as to Dunstable Road Trust.
7. Provisions as to Puddle Hill Road Trust.
8. Liquidation of Debt on Stratford and Dunchurch Road Trust.
9. Payments to be made by Trustees of Trusts to be a First Charge on their Tolls.
10. Penalty on default in Payment.
11. Powers of Commissioners, and Entry into possession.

§ 12. Provisions in Acts inconsistent with this, repealed. SCHEDULE, showing the Amount of Principal Debt now due on account of Loans to certain Districts of the Holyhead Road, and the Acts authorizing such Loans; also the Money to be paid by Instalments under this Act.

Husband and Wife. See *Conjugal Rights (Scotland).*

I.

Improvement of Landed Property. See *Landed Property Improvement.*

Inclosure of Lands.

24 Vict. c. 1.—An Act to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for England and Wales. Page 1

[*The Lands authorized to be inclosed are set out in the Schedule.*]

24 & 25 Vict. c. 38.—An Act to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners. Page 110

[*The Lands authorized to be inclosed are set out in the Schedule.*]

Income Tax. See *Inland Revenue.*

Incumbents, Leases by. See *Ecclesiastical Leases.*

Indemnity.

24 & 25 Vict. c. 77.—An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively. Page 255

Preamble recites 1 Geo. 1. st. 2. c. 13., 13 Car. 2. st. 2. c. 1., 25 Car. 2. c. 2., 30 Car. 2. st. 2., 8 Geo. 1. c. 6., 2 Geo. 2. c. 26., 18 Geo. 2. c. 20., 6 Geo. 3. c. 53., 9 Geo. 4. c. 17., 10 Geo. 4. c. 7., and 21 & 22 Vict. c. 48.

§ 1. Persons who have omitted to qualify themselves as required by the recited Acts indemnified, and allowed further Time.
2. Indemnity to those who have omitted to make and subscribe the Oaths and Declaration required by the Irish Act, 2 Anne, c. 6.
3. Not to indemnify Persons against whom final Judgment has been given.
4. Not to exempt Justices acting without legal Qualification.
5. Admissions to Corporations may be stamped after the Time allowed.
6. Not to restore Persons to any Office avoided by Judgment.
7. General Issue.

India. See *East India.*

Indictable Offences. See *Criminal Law Consolidation.*

Industrial Schools :

1.—*England.*

24 & 25 Vict. c. 113.—An Act for amending and consolidating the Law relating to Industrial Schools. Page 535

§ 1. Short Title.
2. Act not to extend to Scotland or Ireland.
3. Interpretation of Terms.
4. Mode of certifying Industrial School.
5. Withdrawal of Certificate by Secretary of State.
6. Notice of Withdrawal.
7. Resignation of Certificate by Managers.
8. Guardians may contract with Managers.
9. Description of Children liable to be sent to School.
10. Justices may send Child to School.
11. Lodging Child at School.
12. Settlement not acquired by Stay at School.
13. Power to make Rules, &c.
14. Limitation of Stay at School.
15. Discharge of Child from School.
16. Power in certain Cases to discharge Child from School before Expiration of Period for which he has been sent there.
17. Maintenance of Child at School.
18. Order for Payment of Maintenance.
19. Variation of Order.
20. Penalty on Child absconding.

§ 21. Penalty on inducing Child to abscond.
22. Mode of recovering Penalties.
23. Evidence of School being certified.
24. Evidence of Order of Justices.
25. Evidence of Certificate of School, Identity of Child, and making of Orders.
26. Use of Form in Schedule.
27. Repeal of Acts 20 & 21 Vict. c. 48. and 23 & 24 Vict. c. 108.
28. Application of Act to existing certified Schools.
29. Duration of Act, until 1st January 1864.
SCHEDULE of FORMS.

2.—*Scotland.*

24 & 25 Vict. c. 132.—An Act for consolidating and amending the Law relating to Industrial Schools in Scotland. Page 598

§ 1. Short Title.
2. Act to extend to Scotland only.
3. Interpretation of Terms.
4. Mode of certifying Industrial Schools.
5. Withdrawal of Certificate by Secretary of State.
6. Notice of Withdrawal.
7. Local Reformatories may receive youthful Offenders and Vagrant Children.
8. Resignation of Certificate by Managers.
9. Description of Children liable to be sent to School.
10. Power to Magistrates to send Children to School.
11. Lodging, &c. Child at School.
12. Children not to be sent to Schools to which Parents, &c. object. As to Settlement and Chargeability of Children sent from Scotland to any School out of Scotland.
13. Child chargeable to Parish to be sent to Parochial Industrial School, if any.
14. Limitation of Stay at School.
15. Discharge of Child from School.
16. Power to discharge from School before Expiry of Period of Attendance.
17. Power to make Rules, &c.
18. Maintenance of Child at School.
19. Order for Payment of Maintenance.
20. Variation of Order.
21. Case of Child chargeable to Parish.
22. Penalty on Child absconding.
23. Penalty on inducing Child to abscond.
24. Mode of recovering Penalties.
25. Evidence of School being certified.
26. Evidence of Order of Justices.
27. Evidence of Certificate of School, Identity of Child, and making of Orders.

§ 28. Use of Form in Schedule.
29. Repeal of Acts 17 & 18 Vict. c. 74. and 19 & 20 Vict. c. 28.
30. Application of Act to existing certified Schools.
31. Continuance of Act until 1st January 1864.

Infirmary for Cork. See *Cork Infirmary.*

Injuries (Malicious). See *Malicious Injuries to Property.*

Inland Revenue.

24 & 25 Vict. c. 91.—An Act to amend the Laws relating to the Inland Revenue. Page 301

As to Excise.

§ 1. Methylated Spirit may be retailed under Licence for that Purpose. 18 & 19 Vict. c. 38.
2. Licences to be renewed annually.
3. Conditions to be observed by Retailer of Methylated Spirit. Penalty for offending contrary to this Section.
4. Distillers who are Makers of Methylated Spirit may supply licensed Makers of such Spirit.
5. Penalty for selling Methylated Spirit without Licence.
6. Methylated Spirit not to be prepared or sold as a Beverage.
7. New Rates of Drawback on Beer exported in lieu of former Rates. Provisions of former Laws to apply.
8. Persons not compellable to take out a Refreshment House Licence for a House not kept open after Ten o'Clock at Night.
9. Lower Rate of Duty on Refreshment House Licences for Houses under 30*l.* annual Value. Allowance of Duty paid for Refreshment House Licence to be made on taking out Wine Licence.
10. Persons licensed to retail Beer not precluded from taking out Wine Licences.
11. Persons licensed to retail Wine not to be subject to Penalty under the Beer Acts, for having Wine or Sweets in possession.
12. Penalty on Persons selling Beer by Retail in Scotland without being duly authorized and licensed.
13. Exemptions as to the Sale of Beer or Spirits at Fairs or Races not repealed by 23 & 24 Vict. cc. 113. and 114.
14. All Licences granted under the Acts relating to the retailing of Beer to expire on the 10th October in each Year.

Inland Revenue.

§ 15. Duty on Racehorses to be paid for the Year ending on 31st December in 1862, and in any subsequent Year.
16. No Penalty for letting for Hire a Horse or Carriage to convey a Prisoner to Gaol.
17. Persons dealing in Game without Excise Licence to be liable to Penalty whether licensed by the Justices or not.
18. Section 31 of 1 & 2 Will. 4. c. 55., with respect to Penalties under the Illicit Distillation Acts in Ireland, not repealed by Sect. 6 of 20 & 21 Vict. c. 40.
19. Persons aggrieved by Judgment of Justices on Information under 1 & 2 Will. 4. c. 55., 17 & 18 Vict. c. 89., or 20 & 21 Vict. c. 40. may appeal.
20. Justices in Ireland empowered to further mitigate the Penalty for Offences under Sect. 195 of 23 & 24 Vict. c. 114.
21. Pending an Appeal against an Order of Justices refusing a Certificate to authorize the Renewal of an Excise Licence to sell Beer, &c. in Ireland, Appellant to deposit the Duties for an Excise Licence with the Collector.
22. Powers given to Officers of Excise by 1 & 2 Will. 4. c. 55. as to Seizure of private Stills, &c. in Ireland extended to Officers of Customs.
23. Power to Officers of Excise to examine Stills or Retorts kept by Persons not being Distillers, Rectifiers, or Compounders of Spirits, or Vinegar Makers.
24. Charging of Excise Duty on Sugar used in brewing deferred until 1st July 1862.

As to Stamps.

25. Stamp Duties in lieu of those now payable on Protests and other Notarial Acts.
26. Stamp Duty on certain Proxies reduced.
27. Adhesive Stamps may be used for Proxies.
28. Stamp Duties to be collected under the Laws in force.
29. Section 8 of 23 & 24 Vict. c. 111., so far as it relates to Duty upon Renewals of certain Insurances, repealed.
30. On Appointment of new Trustees where several Deeds are required, one only shall be charged with the full Stamp Duty, and the others as Duplicates.
31. Duties on Duplicates and Counterparts, and progressive Duties in certain Cases.
32. Adhesive Stamps may be affixed and cancelled by an authorized Officer of Inland Revenue.
33. Mode of cancelling adhesive Stamps.
34. Bills of Sale to be produced stamped on filing Copies, and Deeds to be stamped before registered.
35. Licences to Joint Stock Banks not required to specify the Names of more than Six Persons.

§ 36. The Provision made for assessing the Income Tax on the Interest and Dividends payable in the United Kingdom arising out of Foreign Companies extended to Colonial Companies.

37. Inspector or Surveyor to certify to Commissioners Cases in which Persons assessed are succeeded in their Trade or Business by other Persons, and Commissioners may apportion and adjust the Assessment.

38. Commissioners Determination final. Recovery of adjusted Assessment.

As to Land Tax.

39. All Surplus Land Tax collected in any Parish to be paid to the Receiver General of Inland Revenue, and by him into the Bank of England to an Account to be opened for that Purpose. 6 Geo. 4. c. 32.

40. Surplus Land Tax to be applied in the Redemption of Land Tax chargeable on the Parish in which it has arisen.

41. Commissioners of Inland Revenue to certify the Appropriation of Surplus Land Tax, and thereupon Parish to be exonerated from the Amount redeemed.

42. So much of 6 Geo. 4. c. 32. as directs any other Appropriation repealed.

43. Not to repeal 4 & 5 Will. 4. c. 60. s. 6. authorizing Remuneration to Assessors for making Assessments of Land Tax.

44. Construction of the Term "Parish or Place."

As to Land, Assessed, and Income Taxes.

45. Duplicates of Assessments, &c. to be delivered to Commissioners by Collector upon clearing his Account.

46. Persons in Prison against whom Informations are exhibited for Offences against the Inland Revenue to be brought up by Habeas Corpus at the Hearing of such Informations.

24 & 25 Vict. c. 21.—An Act for granting to Her Majesty certain Duties of Excise and Stamps. Page 61

§ 1. Grant of Duties specified in Schedules.

2. Power to Licensed Dealers in Spirits taking out an additional Licence to retail and send out Foreign or British Spirits in less Quantities than Two Gallons.

3. Licences may be granted for the Sale of Table Beer by Retail not to be drunk on the Premises, without Persons being rated, or producing Certificate.

4. Provisions of former Acts to apply to this Act.

5. Expiration of Licences granted under this Act, to Hawkers, Pedlars, &c.

§ 6. A Licence may be granted to a Hawker on a Certificate of a Justice or an Officer of Police.
7. Not to affect the Licences to Hawkers, &c. trading otherwise than as herein mentioned, nor the Provisions of the Act in force.
8. Licensed Hawkers, &c. may carry and sell Tea and Coffee under an Excise Licence.
9. Persons seeking Orders for Goods at other Men's Houses to be deemed Hawkers.
10. Who shall be deemed House Agents, and required to be licensed as such.
11. By whom Licences to House Agents shall be granted, and the Date and Continuance thereof.
12. Penalty on House Agents acting without a Licence.
13. Exceptions to preceding Section.
14. The Stamp on the Lease of a furnished House may be adhesive; the same to be cancelled at Time of signing the Instrument.
15. Penalty for signing any such Agreement not stamped.

See also *Customs and Excise. Stamp Duties, &c.*

Insolvency. See *Bankruptcy and Insolvency.*

Inventories, Duties on. See *Stamp Duties.*

Ireland. For Acts relating specially to Ireland, see the following Heads:—

Attorneys and Solicitors.
Bills of Exchange.
Cork Infirmary.
County Cess.
County Surveyors.
Drunkenness.
Dublin.
Dwellings for Labouring Poor.
Landed Estates Court.
Landed Property Improvement.
Landlord and Tenant.
Lunatic Asylums.
Probate Court.
Public Works.
Revising Barristers.
Tramways.
Voters.

Irremoveable Poor.

24 & 25 Vict. c. 55.—An Act to amend the Laws regarding the Removal of the Poor and the Contribution of Parishes to the Common Fund in Unions. Page 193

§ 1. So much of Sect. 1 of 9 & 10 Vict. c. 66. as prescribes a Residence of Five Years to be altered to Three Years, &c.

§ 2. Provision for Orphan Children under 16 Years of Age.
3. Provision for deserted Wives.
4, 5. Chargeability of Wayfarers; and of sick Persons.
6. Lunatics to be chargeable upon the Common Fund.
7. Orders in Lunacy may be obtained by or appealed against by Boards of Guardians. Proviso for pending Appeals.
8. Chargeability of Union Paupers on Common Fund made perpetual.
9. Parishes comprised in any Union formed under 4 & 5 Vict. c. 76. to contribute to Common Fund according to the annual Value of rateable Property. Proviso as to Liabilities; and for Contributions in arrear.
10. Mode of ascertaining the annual rateable Value.
11. No Order for Contribution to be deemed void by reason of Error in the Calculation.
12. Interpretation of Terms, and Consolidation of 4 & 5 Will. 4. c. 76., &c.

J.

Judicature, Courts of. See *East India.*

Jurors. See *Annoyance Jurors (Westminster).*

Justice, Administration of. See

Accessories and Abettors.
Admiralty, Court of.
Ascertainment of the Law, &c.
Bankruptcy and Insolvency.
Coinage Offences.
Conjugal Rights.
Corrupt Practices Prevention.
Criminal Law Consolidation.
Criminal Proceedings.
Crown Suits.
Drunkenness.
East India.
Forgery.
Landlord and Tenant.
Larceny.
Malicious Injuries to Property.
Oaths.
Offences against the Person.
Statute Law Consolidation.
Statute Law Revision.
Wills, &c.

L.

Labouring Poor. See *Dwellings for the Labouring Poor.*

Lace Factories.

24 & 25 Vict. c. 117.—An Act to place the Employment of Women, young Persons, Youths, and Children in Lace Factories under the Regulations of the Factories Acts. Page 568

Preamble recites 3 & 4 Will. 4. c. 103., 7 & 8 Vict. c. 15., 10 & 11 Vict. c. 29., 13 & 14 Vict. c. 54., 16 & 17 Vict. c. 104., and 19 & 20 Vict. c. 83.

§ 1. Recited Acts to apply to Lace Factories, and to the Employment of Females, young Persons, Youths, and Children therein.

2. Youths between the Age of Sixteen and Eighteen may be employed between 4 a.m. and 10 p.m., but not more than Nine Hours between those Hours.

3. Agents or Workmen may be summoned for acting contrary to the Act without the Knowledge of the Owner, &c.

4. Interpretation of Terms.

5, 6. Provisions of recited Acts relating to Recovery of lost Time, and also those relating to the fencing Machinery, not to extend to Lace Factories.

SCHEDULE.

Land. See *Charitable Uses. Drainage of Land. Inclosure of Land.*

Land Tax. See *Inland Revenue.*

Landed Estates Court (Ireland).

24 & 25 Vict. c. 123.—An Act to reduce and alter the Rate of Duty payable on Proceedings under the Statute of 21 & 22 Vict. c. 72. Section 88., and for other Purposes. Page 575

§ 1. Duty payable on Proceedings in Landed Estate Court, Ireland.

2. If Duties, &c. hereby authorized be insufficient to pay Half the Expense of maintaining Court, Rates may be raised of any of the said Duties.

3. Indemnity to Lieutenant Colonel John Henry Keogh.

4. Recited Act and this Act to be construed as One Act.

Landed Property Improvement, &c. (Ireland).

24 & 25 Vict. c. 34.—An Act to extend the Provisions of the Acts to facilitate the Improvement of Landed Property in Ireland, and to further provide for the Erection of Dwellings for the Labouring Poor in Ireland. Page 105

Preamble recites 23 Vict. c. 19., and the Acts therein recited.

§ 1. Loans may be made for the Erection of Dwellings for Labourers and their Families, notwithstanding previous Loans.

Landlord and Tenant (Ireland).

24 & 25 Vict. c. 48.—An Act to provide for the Costs of certain Proceedings to be taken under the Landlord and Tenant Law Amendment (Ireland) Act, 1860 (23 & 24 Vict. c. 154). Page 183

§ 1. Five or more Chairmen of Quarter Sessions in Ireland to be appointed by the Lord Chancellor to fix a Scale of Fees, and to make Regulations as to Taxation of Costs.

2. Fees, &c. so fixed shall alone be allowed to be taken in any Proceeding under the enlarged Jurisdiction given by the said recited Act.

3. The Acts 14 & 15 Vict. c. 57. and 21 & 22 Vict. c. 88. to be construed with this Act as One Act.

Larceny, &c.

24 & 25 Vict. c. 96.—An Act to consolidate and amend the Statute Law of England and Ireland relating to Larceny and other similar Offences. Page 334

§ 1. Interpretation of Terms.

2. All Larcenies to be of the same Nature.

3. Bailees fraudulently converting Property guilty of Larceny.

4. Punishment for Simple Larceny.

5. Three Larcenies within Six Months may be charged in One Indictment.

6. Where a single Taking is charged, and several Takings at different Times are proved.

7. Larceny after a Conviction for Felony.

8. Larceny after Conviction of an indictable Misdemeanor under this Act.

9. Larceny after Two Summary Convictions. 7 & 8 Geo. 4. cc. 29. 30., 9 Geo. 4. cc. 55. 56., 10 & 11 Vict. c. 82., 11 & 12 Vict. c. 59., 14 & 15 Vict. c. 92., 24 & 25 Vict. c. 97.

§ 10. Stealing Horses, Cows, Sheep, &c.
11. Killing Animals with Intent to steal the Carcase, &c.
12. Stealing Deer in an uninclosed Part of a Forest.
13. Stealing Deer in any inclosed Ground.
14. Suspected Persons found in possession of Venison, &c., and not satisfactorily accounting for it. Penalty. In case they cannot be convicted, how the Justice may proceed.
15. Setting Engines for taking Deer or pulling down Park Fences.
16. Deer Keepers, &c. may seize the Guns, &c. of Offenders who, on Demand, do not deliver up the same. Penalty on Resistance to Keepers, &c. in the Execution of their Duty.
17. Killing, &c. Hares or Rabbits in a Warren in the Night Time. The like in the Day-time.
18. Stealing Dogs.
19. Possession of stolen Dogs.
20. Taking Money to restore Dogs.
21. Stealing Beasts or Birds ordinarily kept in Confinement, and not the Subjects of Larceny.
22. Persons found in possession of stolen Beasts, &c. liable to Penalties.
23. Killing Pigeons.
24. Taking Fish in any Water situate in Land belonging to a Dwelling House; in a private Fishery elsewhere. Provision respecting Anglers. Provision as to Boundaries of Parishes.
25. The Tackle of Fishers may be seized. Angler, on Seizure of his Tackle, exempt from Penalty.
26. Stealing or dredging for Oysters in Oyster Fisheries.
27. Bonds, Bills, Notes, &c.
28. Deeds, &c. relating to Real Property.
29. Stealing Wills or Codicils.
30. Stealing Records or other legal Documents.
31. Metal, Glass, Wood, &c. fixed to House or Land.
32. Trees in Pleasure Grounds of the Value of 1*l.*, or elsewhere of the Value of 5*l.*
33. Stealing Trees, Shrubs, &c., wheresoever growing, and of any Value above 1*s.*
34. Stealing, &c. any live or dead Fence, wooden Fence, Stile, or Gate.
35. Suspected Persons in possession of Wood, &c., not satisfactorily accounting for it.
36. Stealing, &c. any Fruit or Vegetable Production in a Garden, &c.
37. Stealing, &c. Vegetable Productions not growing in Gardens, &c.
38. Stealing Ore of Metal, Coal, &c.
39. Miners removing Ore with Intent to defraud.
40. Robbery or stealing from the Person.

§ 41. On Trial for Robbery, Jury may convict of an Assault with Intent to rob.
42. Assault with Intent to rob.
43. Robbery or Assault by a Person armed, or by Two or more, or Robbery and wounding.
44. Letter, demanding Money, &c. with Menaces.
45. Demanding Money, &c. with Menaces, or by Force, with Intent to steal.
46. Letter threatening to accuse of Crime, with Intent to extort. "Infamous Crime" defined.
47. Accusing or threatening to accuse, with Intent to extort.
48. Inducing a Person by Violence or Threats to execute Deeds, &c., with Intent to defraud.
49. It shall be immaterial from whom the Menaces proceed.
50. Breaking and entering a Church or Chapel and committing any Felony.
51. Burglary by breaking out.
52. Burglary.
53. What Building within the Curtilage shall be deemed Part of the Dwelling House.
54. Entering a Dwelling House in the Night with Intent to commit any Felony.
55. Breaking into any Building within the Curtilage which is no Part of the Dwelling House and committing any Felony.
56. Breaking into any House, Shop, Warehouse, &c., and committing any Felony.
57. House breaking, &c. with Intent to commit any Felony.
58. Being armed with Intent to break and enter any House in the Night.
59. The like, after a previous Conviction for Felony, &c.
60. Stealing in a Dwelling House to the Value of 5*l.*
61. Stealing in a Dwelling House with Menaces.
62. Stealing Goods in Process of Manufacture.
63. Stealing from Ships, Docks, Wharfs, &c.
64. Stealing from Ship in Distress or wrecked.
65. Persons in possession of shipwrecked Goods not giving a satisfactory Account.
66. If any Person offers shipwrecked Goods for Sale, the Goods may be seized, &c.
67. Larceny by Clerks or Servants.
68. Embezzlement by Clerks or Servants.
69. Larceny by Persons in the Queen's Service, or by the Police.
70. Embezzlement by Persons in the Queen's Service, or by the Police.
71. Distinct Acts of Embezzlement may be charged in the same Indictment.
72. Person indicted for Embezzlement as a Clerk, &c. to be acquitted if the Offence turn out to be Larceny; and vice versâ.

§ 73. Embezzlement by Officers of the Bank of England or Ireland.
74. Tenant or Lodger stealing Chattel or Fixture let to Hire with House or Lodgings.
75. Punishment of Agent, Banker, &c. embezzling Money or selling Securities, &c. intrusted to him; or Goods, &c. intrusted to him for safe Custody. Not to affect Trustees or Mortgagees; nor Bankers, &c. receiving Money due on Securities; or disposing of Securities on which they have a Lien.
76. Bankers, &c. fraudulently selling, &c. Property intrusted to their Care.
77. Persons under Powers of Attorney fraudulently selling Property.
78. Factors obtaining Advances on the Property of their Principals. Clerks wilfully assisting. Cases excepted where the Pledge does not exceed the Amount of their Lien.
79. Definitions of Terms in reference to preceding Section.
80. Trustees fraudulently disposing of Property, guilty of a Misdemeanor. No Prosecution shall be commenced without the Sanction of some Judge or the Attorney General.
81–84. Directors, &c. of any Body Corporate or Public Company fraudulently appropriating Property; or keeping fraudulent Accounts; or wilfully destroying Books, &c.; or publishing fraudulent Statements.
85. No Person to be exempt from answering Questions in any Court, but no Person making a Disclosure in any compulsory Proceeding to be liable to Prosecution.
86. No Remedy at Law or in Equity shall be affected. Convictions shall not be received in Evidence in Civil Suits.
87. Certain Misdemeanors not triable at Sessions.
88. As to obtaining Money, &c. by false Pretences. No Acquittal because the Offence amounts to Larceny. Form of Indictment and Evidence.
89. Where any Money or Thing is caused to be paid or delivered to any Person other than the Person making a false Pretence.
90. Inducing Persons by Fraud to execute Deeds and other Instruments.
91. As to receiving stolen Goods where the Principal is guilty of Felony.
92. Indictment for stealing and receiving.
93. Separate Receivers may be included in the same Indictment in the Absence of the Principal.
94. On an Indictment for jointly receiving, Persons may be convicted of separately receiving.
95. Receiving where the Principal has been guilty of a Misdemeanor.
96. Receiver where triable.

§ 97. Receivers of Property, where the original Offence is punishable on Summary Conviction.
98. Principals in the Second Degree and Accessories. Abettors in Misdemeanors.
99. Abettors in Offences punishable on Summary Conviction.
100. The Owner of stolen Property prosecuting Thief or Receiver to Conviction shall have Restitution of his Property.
101. Taking a Reward for helping to the Recovery of stolen Property without bringing the Offender to Trial.
102. Advertising a Reward for the Return of stolen Property, &c.
103. A Person in the Act of committing any Offence may be apprehended without a Warrant. A Justice, upon good Grounds of Suspicion proved on Oath, may grant a Search Warrant.
104. A Person loitering at Night and suspected of any Felony against this Act may be apprehended.
105. Mode of compelling the Appearance of Persons punishable on Summary Conviction.
106. Application of Forfeitures and Penalties on Summary Convictions.
107. If a Person summarily convicted shall not pay, &c., the Justice may commit him. Scale of Imprisonment.
108. Justice may discharge the Offender in certain Cases.
109. A Summary Conviction shall be a Bar to any other Proceeding for the same Cause.
110. Appeal.
111. No Certiorari, &c.
112. Convictions to be returned to the Quarter Sessions.
113. Venue, in Proceedings against Persons acting under this Act. Notice of Action. General Issue, &c.
114. Stealers of Property in one Part of the United Kingdom who have the same in any other Part of the United Kingdom may be tried and punished in that Part where they have the Property.
115. Offences committed within the Jurisdiction of the Admiralty.
116. Form of Indictment for a subsequent Offence. When the previous Conviction is to be proved on Trial.
117. Fine, and Sureties for keeping the Peace; in what Cases.
118. Hard Labour.
119. Solitary Confinement and Whipping.
120. Summary Proceedings in England may be under the 11 & 12 Vict. c. 43., and in Ireland under the 14 & 15 Vict. c. 93.; except in London and the Metropolitan Police District.
121. The Costs of the Prosecution of Misdemeanors against this Act may be allowed.
122. Act not to extend to Scotland.
123. Commencement of Act, 1st November 1861.

Law of Foreign Countries.

24 Vict. c. 11.—An Act to afford Facilities for the better Ascertainment of the Law of Foreign Countries when pleaded in Courts within Her Majesty's Dominions. Page 41

Preamble recites 22 & 23 Vict. c. 63.

§ 1. Superior Courts within Her Majesty's Dominions may remit a Case, with Queries, to a Court of any Foreign State with which Her Majesty may have made a Convention for that Purpose, for Ascertainment of Law of such State.

2. Court in which Action depends to apply such Opinion to the Facts set forth in Cases, &c.

3. Courts in Her Majesty's Dominions may pronounce Opinion on Case remitted by a Foreign Court.

4. Interpretation of Terms.

Leases, &c. by Incumbents Restriction.

24 & 25 Vict. c. 105.—An Act to prevent the future Grant by Copy of Court Roll and certain Leases of Lands and Hereditaments in England belonging to Ecclesiastical Benefices. Page 494

§ 1. No Grant by any future Prebendary, Rector, &c. to be valid unless made in conformity with the Provisions of Acts, 5 & 6 Vict. c. 27., 5 & 6 Vict. c. 108., and 21 & 22 Vict. c. 57.

2. Reserving Rights of present Incumbents and other Rights.

3. Rectors to have same Powers of Sale as are possessed by Ecclesiastical Corporations.

Legacy Duty. See *Stamp Duties.*

Leith Harbour and Docks.

24 & 25 Vict. c. 90.—An Act to make Arrangements as to the Disposal and Management of Property belonging to the University of Edinburgh; and to regulate the Appropriation and Application of the Annuity of Two thousand five hundred Pounds payable from the Revenues of the Harbour and Docks of Leith, under the Authority of the Act 1 & 2 Vict. c. 55. Page 297

Preamble recites 1 & 2 Vict. c. 55. and 21 & 22 Vict. c. 83.

§ 1. Appropriation of Annuity of 2,500*l.* in first-recited Act mentioned.

2. First Payments to be made at Martinmas 1861.

§ 3. Certain Properties and Revenues enumerated to be transferred to the Senatus.
4. Certain Properties and Revenues enumerated in Schedule to be held by the City for the Support of Schools.
5. Short Title.

Letters of Administration. See *Probate, Court of (Ireland).*

Leveson's (Lady Katherine) Hospital. See *Temple Balsall Hospital.*

Limitation of Crown Suits.

24 & 25 Vict. c. 62.—An Act to amend 9 Geo. 3. c. 16., for quieting Possessions and Titles against the Crown, and also certain Acts for the like Object relating to Suits by the Duke of Cornwall. Page 207

§ 1. The Crown not to sue after Sixty Years by reason of Lands having been in charge, &c.
2. Provisions of this Act to apply to Actions by the Duke of Cornwall, and to Provisions of 7 & 8 Vict. c. 105. and 23 & 24 Vict. c. 53.
3. Provision as to the answering of Rent, &c. to the Crown.
4. Preserving Right to Reversionary Interests.
5. Act not to apply to existing Suits.

Lists and Ballots for the Militia. See *Militia.*

Lists of Voters. See *Voters.*

Llandilo. See *Local Government.*

Llanelly. See *Local Government.*

Loans. See *East India. Public Works.*

Local Government:

1.—*Amendment of General Act.*

24 & 25 Vict. c. 61.—An Act to amend the Local Government Act, 21 & 22 Vict. c. 104. Page 198

§ 1. Provision as to Costs of Proceedings with a view to adopting the Local Government Act, when that Act is not adopted.

§ 2. Every Local Authority invested with Powers of Town Government may adopt any Part of Local Government Act: Provision for Election of such Local Authorities when elected for Life at the Time of adopting Local Government Act.

3. Accounts of Improvement Commissioners acquiring Borrowing Powers under Local Government Act to be subject to the Provisions of that Act relating to Audit.

4. Local Board may exercise Powers of Section 45 of 11 & 12 Vict. c. 63. also without their District, if necessary, for Purposes of Outfall or Distribution of Sewage, on making Compensation.

5. Previous Notices of the intended Works before Commencement.

6. If Objection be made by any Party interested, the Work not to be proceeded with without Sanction of Secretary of State.

7. An Inspector to be appointed to make Inquiry on the Spot, and report to the Secretary of State.

8. Yearly Sum to be paid for Premises without District drained into Sewer within District.

9. Provision for Repair of Highways in Parts of Parishes or Townships not included in Districts under Local Government Act as herein stated.

10. Enabling Local Boards to act instead of Inhabitants in Vestry of Townships in their Districts in all Matters arising under the Provisions of 5 & 6 Will. 4. c. 50.

11. Service of Notices and Repayment of Costs under Sections 69, 70, 71, 73, and 74 of 10 & 11 Vict. c. 34.

12. Special District Rates leviable over same Area as General District Rates may be levied as Part, and under the Name, of such Rates.

13. Debts due on Special District Rates may, with the Sanction of the Secretary of State, and of Mortgagees, and of Owners and Ratepayers, be repaid, and Money raised for such Repayment on Credit of General District Rate.

14. The Sanction of the Secretary of State substituted for the Sanction of the General Board of Health, which has ceased to exist.

15. Making up Accounts for Audit.

16. Before giving Notice for paving, &c. of Streets not being Highways, Plans and Sections to be deposited with Local Board.

17. Form of Notice.

18. Interpretation of "Special Act" in construing 8 & 9 Vict. c. 18. as to Provisional Orders.

19. Extension of Powers given by Section 78 of 21 & 22 Vict. c. 104. to Cases in which Local Boards incur Expenses for permanent Works, &c.

§ 20. Local Boards may make Agreements for Terms of Water Supply in certain Cases.
21. Local Boards of Health may repair Fences surrounding Burial Grounds.
22. Powers of Local Boards with respect to Land purchased under 21 & 22 Vict. c. 104.
23. Provision for Recovery of Charges for Private Improvements.
24. Demands below 20*l.* may be recovered in County Courts.
25. Local Board may make Byelaws for licensing, &c. Horses, Boats, &c. for Hire.
26. Section 69 of 5 & 6 Will. 4. c. 50. to apply to Encroachments on Highways managed by Local Authority.
27. Repayment of Costs by Provisional Orders.
28. No House to be brought forward without Consent of Local Board.
29. Application of General Acts to Local Boards of Health.
30. Incorporation and Construction of Acts.
31. Short Title.
SCHEDULE.

2.—*Supplemental Acts.*

24 & 25 Vict. c. 39.—An Act to confirm certain Provisional Orders under the Local Government Act (1858), relating to the Districts of Brighton, East Cowes, Preston, Morpeth, Bromsgrove, and Durham; and for other Purposes in relation thereto. Page 112

§ 1. Provisional Orders in Schedule confirmed.
2. Provisional Order for Morpeth not to affect Election of Local Board of Health, save as regards Bedlington.
3. Apportionment of existing Debt between Morpeth and Bedlington.
4. Surveyors of Highways to be elected for the Parts of Bromsgrove separated from the District.
5. This Act incorporated with 21 & 22 Vict. c. 98.
6. Short Title.
SCHEDULE of Provisional Orders referred to; viz.,
BRIGHTON.—Repealing and altering Parts of Local Acts in force within the District.
EAST COWES.—Repealing a Local Act in force within the District.
PRESTON.—Repealing and altering Parts of a Local Act in force within the District; extending the Borrowing Powers of the Preston Local Board of Health; extending the Time for paying off Sums borrowed by such Board; and for other Purposes.

MORPETH.—Altering the Boundaries of the District of Morpeth, as constituted for the Purposes of the Public Health Act, 1848.

BROMSGROVE.—Altering the Boundaries of the District of Bromsgrove, as constituted for the Purposes of the Local Government Act, 1858.

DURHAM.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands otherwise than by Agreement.

24 & 25 Vict. c. 128.—An Act to confirm certain Provisional Orders under the Local Government Act (1858), relating to the Districts of Plymouth, Weston-super-Mare, Llanelly, and Llandilo; and for other Purposes in relation thereto. Page 585

§ 1. Confirming Provisional Orders in Schedule, except Part of Provisional Order relating to Weston-super-Mare.

2. Limitation of Rates to 3*s.* 6*d.* in the Pound, except with Consent of Majority of Ratepayers.

3. Existing Mortgages to have Priority of future Mortgages.

4. Act incorporated with 21 & 22 Vict. c. 98.

5. Short Title.

SCHEDULE of Provisional Orders referred to; viz.,

PLYMOUTH.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands for Street Improvements otherwise than by Agreement.

WESTON-SUPER MARE.—Repealing and altering Parts of Local Acts within the District; consolidating certain Debts incurred under such Acts; and altering the Powers of rating within the said District.

WESTON-SUPER-MARE.—Altering the Boundaries of the District of Weston-super-Mare, as constituted for the Purposes of the Local Government Act, 1858.

LLANELLY.—Extending the Borrowing Powers of the Llanelly Local Board of Health.

LLANDILO.—Extending the Borrowing Powers of the Llandilo Local Board.

Locomotives.

24 & 25 Vict. c. 70.—An Act for regulating the Use of Locomotives on Turnpike and other Roads, and the Tolls to be levied on such Locomotives and on the Waggons and Carriages drawn or propelled by the same. Page 237

§ 1. Scale of Tolls to be taken after passing of this Act.

2. Repeal of former Enactments as to Tolls to be taken for Locomotives.

§ 3. As to the Size and Weight of Locomotives.
4. As to the Weight on each Pair of Wheels.
5. Power to Secretary of State to prohibit the Use of Locomotives destructive to Highways or dangerous to the Public.
6. Use of Locomotives restricted over Suspension and other Bridges.
7. Damage caused by Locomotives to Bridges to be made good by Owners.
8. Locomotives propelled by Steam to consume their own Smoke.
9. As to the Number of Persons in charge of Locomotive and Waggons. Lights to be used at Night.
10. Exemption from Tolls of Waggons, &c. now exempt under any General or Local Act.
11. Limit of Speed of Locomotives on public Highways, &c.
12. Provisions of General Acts relating to Turnpike Roads to apply to Locomotives.
13. Right of Action in case of Nuisance.
14. Short Title.
15. Act to extend to Great Britain.

London. See *Metropolis Gas. Metropolitan Buildings. Metropolitan Police.*

London Coal and Wine Duties.

24 & 25 Vict. c. 42.—An Act to continue the Duties levied on Coal and Wine by the Corporation of London. Page 144

Preamble recites Orphans Fund Act, 5 & 6 Will. & Mary, c. 10., and the Coal Duties Acts, 1 & 2 Will. 4. c. 76., 1 & 2 Vict. c. 101., 8 & 9 Vict. c. 101., and 14 & 15 Vict. c. 146.
§ 1. Continuation of Wine Duties.
2. Continuance of Coal Duties.
3. Metropolitan Police District substituted for the London District.
4. Commencement of Metropolitan Police District to be marked in Canals, Railways, and Roads.
5. Duties to be carried to an Account to be intituled "The Thames Embankment and Metropolis Improvement Fund."
6. Application of the Duty of 4*d.* to the Payment of the Interest and Principal of Sums charged thereupon for Improvements.
7. Drawback upon Coals to continue to be allowed.
8. Duty to be laid out and form an accumulating Fund for Improvements till appropriated by Parliament.

§ 9. Consolidation of Improvement Funds.
10. Continuance of recited Acts, except as altered.
11. Short Title.

Lord Clerk Register's Salary Abolition.

24 & 25 Vict. c. 81.—An Act to repeal the Provisions in certain Statutes relative to the Salary of the Lord Clerk Register in Scotland. Page 265

Preamble recites 57 Geo. 3. c. 64. and 3 Geo. 4. c. 62.
§ 1. So much of recited Acts as provides Payment of Salary or Fees to Lord Clerk Register repealed.

Lunatic Asylums (Ireland).

24 & 25 Vict. c. 57.—An Act to continue the Act 5 & 6 Vict. c. 123. relating to private Lunatic Asylums in Ireland. Page 196

Preamble recites 5 & 6 Vict. c. 123. and 18 & 19 Vict. c. 76.
§ 1. First-recited Act continued till 1st August 1865, and until End of then next Session of Parliament.

M.

Malicious Injuries to Property.

24 & 25 Vict. c. 97.—An Act to consolidate and amend the Statute Law of England and Ireland relating to Malicious Injuries to Property. Page 370

§ 1. Setting fire to a Church or Chapel.
2. Setting fire to a Dwelling House, any Person being therein.
3. Setting fire to a House, Outhouse, Manufactory, Farm Building, &c.
4. Setting fire to any Railway Station.
5. Setting fire to any Public Building.
6. Setting fire to other Buildings.
7. Setting fire to Goods in any Building the setting fire to which is Felony.
8. Attempting to set fire to Buildings.
9. Destroying or damaging a House with Gunpowder, any Person being therein.
10. Attempting to destroy Buildings with Gunpowder.
11. Rioters demolishing Church, Building, &c.
12. Rioters injuring Building, Machinery, &c.
13. Tenants of Houses, &c. maliciously injuring them.

§ 14. Destroying Goods in Process of Manufacture, certain Machinery, &c.
15. Destroying Machines in other Manufactures, Threshing Machines, &c.
16. Setting fire to Crops of Corn, &c.
17. Setting fire to Stacks of Corn, &c.
18. Attempting to set fire to any Crops of Corn, &c. or to any Stack or Steer.
19. Destroying Hopbinds.
20. Destroying or damaging Trees, Shrubs, &c. to the Value of more than 1*l.* growing in a Pleasure Ground, &c.
21. Destroying or damaging Trees, Shrubs, &c. to the Value of more than 5*l.* growing elsewhere than in a Pleasure Ground, &c.
22. Damaging Trees, wheresoever growing, to the Amount of 1*s.*
23. Destroying any Fruit or vegetable Production in a Garden.
24. Destroying, &c. vegetable Productions not growing in Gardens, &c.
25. Destroying, &c. any Fence, Wall, Stile, or Gate.
26. Setting fire to a Coal Mine.
27. Attempting to set fire to a Mine.
28. Conveying Water into a Mine, obstructing the Shaft, &c.
29. Damaging Steam Engines, Staiths, Waggonways, &c. for working Mines.
30. Destroying any Sea Bank, or Wall on any Canal.
31. Removing the Piles of any Sea Bank, &c., or doing any Damage to obstruct the Navigation of a River or Canal.
32. Breaking down the Dam of a Fishery, &c. or Mill Dam, or poisoning Fish.
33. Injury to a public Bridge.
34. Destroying a Turnpike Gate, Toll House, &c.
35. Placing Wood, &c. on Railway with Intent to obstruct or overthrow any Engine, &c.
36. Obstructing Engines or Carriages on Railways.
37. Injuries to Electric or Magnetic Telegraphs.
38. Attempt to injure such Telegraphs.
39. Destroying or damaging Works of Art in Museums, Churches, &c., or in Public Places.
40. Killing or maiming Cattle.
41. Killing or maiming other Animals.
42. Setting fire to a Ship.
43. Setting fire to Ships to prejudice the Owner or Underwriters.
44. Attempting to set fire to a Vessel.
45. Placing Gunpowder near a Vessel with Intent to damage it.
46. Damaging Ships otherwise than by Fire.

§ 47. Exhibiting false Signals, &c.
48. Removing or concealing Buoys and other Sea Marks.
49. Destroying Wrecks or any Articles belonging thereto.
50. Sending Letters threatening to burn or destroy Houses, Buildings, Ships, &c.
51. Persons committing malicious Injuries not before provided for exceeding the Amount of 5*l*.
52. Persons committing Damage to any Property, in any Case not previously provided for, may be committed or fined, and compelled by a Justice to pay Compensation not exceeding 5*l*.
53. Preceding Section to extend to Trees.
54. Making or having Gunpowder, &c. with Intent to commit any Felony against this Act.
55. Justices may issue Warrants for searching Houses, &c. for such Gunpowder, &c.
56. Principals in the Second Degree and Accessories. Abettors in Misdemeanors.
57. A Person loitering at Night, and suspected of any Felony against this Act, may be apprehended.
58. Malice against Owner of Property unnecessary.
59. Provisions of this Act shall apply to Persons in possession of the Property injured.
60. Intent to injure or defraud particular Persons need not be stated in any Indictment.
61. Persons in the Act of committing any Offence may be apprehended without a Warrant.
62. Mode of compelling the Appearance of Persons punishable on summary Conviction.
63. Abettors in Offences punishable on summary Conviction.
64. Application of Forfeitures and Penalties upon summary Convictions. Proviso where several Persons join in Commission of same Offence.
65. If a Person summarily convicted shall not pay, &c., the Justice may commit him.
66. The Justice may discharge the Offender in certain Cases.
67. A summary Conviction shall be a Bar to any other Proceeding for the same Cause.
68. Appeal.
69. No Certiorari, &c.
70. Convictions to be returned to the Quarter Sessions. How far Evidence in future Cases.
71. Venue in Proceedings against Persons acting under this Act. Notice of Action. General Issue, &c.
72. Offences committed within the Jurisdiction of the Admiralty.
73. Fine and Sureties for keeping the Peace; in what Cases.
74. Hard Labour.
75. Solitary Confinement and Whipping.

§ 76. Summary Proceedings in England may be under the 11 & 12 Vict. c. 43., and in Ireland under the 14 & 15 Vict. c. 93.; except in London and the Metropolitan Police District.
77. The Costs of the Prosecution of Misdemeanors against this Act may be allowed.
78. Act not to extend to Scotland.
79. Commencement of Act, 1st November 1861.

Mallow. See *Cork Infirmary.*

Manufacture and Sale of Fireworks. See *Fireworks.*

Marine Barracks at Plymouth. See *Plymouth Marine Barracks.*

Marine Mutiny.

24 Vict. c. 8.—An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore. Page 24

Marine Stores. See *Dealers in old Metals.*

Marriages Validity.

24 Vict. c. 16.—An Act to render valid Marriages heretofore solemnized in Trinity Church, Rainow, and in other Churches and Chapels. Page 49
§ 1. Marriages heretofore solemnized in Trinity Church, Rainow, declared valid.
2. Ministers having solemnized such Marriages indemnified.
3. Registers of such Marriages or Copies thereof to be Evidence.
4. The Validity of such Marriages in certain other Churches and Chapels not to be questioned.

Medical (Naval) Supplemental Fund Society. See *Naval Medical Supplemental Fund Society.*

Medway. See *Chatham Dockyard.*

Merchant Service. See *Officers of Reserve (Royal Navy).*

Merchant Shipping. See *Admiralty, Court of.*

Metals, old. See *Dealers in old Metals.*

Methylated Spirit. See *Inland Revenue.*

Metropolis Gas.

24 & 25 Vict. c. 79.—An Act to amend the Metropolis Gas Act. Page 259

§ 1. Powers conferred on Justices of the Peace by 22 & 23 Vict. c. 66. as amended by 23 & 24 Vict. c. 146., in so far as relates to the Metropolis, transferred to the Metropolitan Board of Works.
2. So much of Sect. 1 of 23 & 24 Vict. c. 146. as respects the Metropolis repealed.

Metropolitan Buildings.

24 & 25 Vict. c. 87.—An Act to amend the Metropolitan Building Act (1855.). Page 295

§ 1. Provisions of 18 & 19 Vict. c. 122. not to apply to Buildings of Commissioners for the Exhibition of 1851.
2. Short Title.

Metropolitan Police:

1.—*Pensions.*

24 & 25 Vict. c. 51.—An Act for granting Pensions to some Officers and Men in the Metropolitan Police Force; and for other Purposes. Page 186

Preamble recites 23 & 24 Vict. c. 135.
§ 1. Provision for Pensions to Officers and Men in Metropolitan Police Force who formerly acted as Police in Her Majesty's Yards.
2. Exemption from Deduction from Pay authorized by Sect. 22 of 2 & 3 Vict. c. 47.
3. Penalty for assaulting, &c. Police when in execution of their Duty. Application of Penalties.

2.—*Receiver for the Metropolitan District.*

24 & 25 Vict. c. 124.—An Act for amending the Law relating to the Receiver for the Metropolitan Police District; and for other Purposes. Page 577

Preamble recites 10 Geo. 4. c. 44.
§ 1. Receiver constituted a Corporation Sole.
2. Transfer of Property vested in previous Receivers.
3. Exoneration of Receiver of Metropolitan Police District.
4. Alteration of Name of Account at Bank of England.

§ 5. Power of Receiver to purchase, &c.
6. Power to grant Pensions and compassionate Allowances to Widows and Children of Constables killed in the Execution of their Duty.
7. Repeal of Part of Sect. 25 of 10 Geo. 4. c. 44. and Enactment of new Provisions in lieu thereof.
8. Payment of Monies into the Bank.
9. This and previous Acts to be construed as One.
10. Short Title.

Military Knights of Windsor. See *Windsor Suspended Canonries.*

Militia:

1.—*Ballots Suspension.*

24 & 25 Vict. c. 120.—An Act to suspend the making of Lists and the Ballots for the Militia of the United Kingdom. Page 574

§ 1. Meetings relating to the Militia of the United Kingdom and Ballots for such Militia suspended until 1st October 1862.
2. Proceedings may be had during such Suspension by Order in Council.
3. Not to extend to prevent the holding of certain Meetings relating to the Militia.

2.—*Pay.*

24 & 25 Vict. c. 119.—An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in Great Britain and Ireland; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons Mates of the Militia; and to authorize the Employment of the Non-commissioned Officers. Page 573

§ 1. Secretary of State for War to issue the Money required for Pay of Regular Militia.
2. Adjutant, &c. to reside where the Secretary of State for War shall appoint.
3. Adjutants, Quartermasters, and Non-commissioned Officers of Militia may be employed in their Counties.
4. Quartermaster, &c. to have Charge of the Arms and Clothing. Adjutant to issue the Money for contingent Expenses on an Order signed by the Colonel.
5. In Absence of the Adjutant, the Serjeants to be under the Command of the Quartermaster, and, in his Absence, of the Serjeant Major.

§ 6. Militia when called out for Training or Exercise entitled to Pay.
7. Volunteers attached to Regiments of the Line to be subject to the Mutiny Act.
8. Certain Officers unfit for Duty entitled to a retired Allowance upon making Declaration.
9. Out-pension to reduced Non-commissioned Officers and Drummers not to be received while serving.
10. Persons on Half Pay, or entitled to Allowance as having served in the Army or Navy, empowered to receive Pay, &c. during Training.
11. Adjutants, &c., Non-commissioned Officers, or Privates, not to lose their Right to Chelsea or Kilmainham Pensions, &c.
12. Allowance to be made for Medicines.
13. Reduced Adjutants to receive 4*s.* per Day till 31st July 1862.
14. Allowances to Adjutants, Surgeons, and Quartermasters.
15. Allowances granted to Adjutants on Completion of certain Periods of Service.
16. Restrictions as to Allowances to reduced Adjutants of the Local Militia.
17. A Declaration to be taken by Adjutants of Local Militia claiming the said Allowance.
18. Allowance to Clerks of General Meetings, &c.
19. Manner of granting Allowances. Clerks, &c. to make Declaration of the Justness of their Accounts.
20. Deputy Lieutenants may require the Attendance of any Surgeon residing near the Place of Meeting for Appeals.
21. Pay, &c. to be issued under Direction of the Secretary of State for War.
22. Bills drawn for Pay, &c. may be on unstamped Paper.
23. No Fee to be taken.
24. All Things in this Act relating to Counties shall extend to Ridings, Shires, &c.
25. Continuance of Act, until 1st September 1862.
SCHEDULES (Scales of Rates of Remuneration).

Morpeth. See *Local Government.*

Mortgages and Bonds (Railway Companies).

24 & 25 Vict. c. 50.—An Act for facilitating the Transfer of Mortgages and Bonds granted by Railway Companies in Scotland. Page 184

Preamble recites 16 & 17 Vict. c. 59.
§ 1. Mortgages and Bonds by Railway Companies bearing a certain Stamp Duty may be transferred by Endorsement.

§ 2. Endorsements to be exempt from Stamp Duty, and to have Effect of Assignments.
3. Interpretation.
4. Short Title.

Mortmain. See *Charitable Uses.*

Municipal Boundaries. See *Burghs.*

Municipal Corporations.

24 & 25 Vict. c. 75.—An Act for amending the Municipal Corporations Act, 5 & 6 Will. 4. c. 76. Page 251

§ 1. Short Title.
2. Construction of Section 57 of 5 & 6 Will. 4. c. 76., as to Qualification of Mayors of Boroughs, &c.
3. Amendment of Section 98 of 5 & 6 Will. 4. c. 76., as to Residence of Justices in Boroughs.
4. Boroughs having a separate Commission of the Peace to be deemed Towns Corporate for the Purposes of the Alehouse Licensing Act, 9 Geo. 4. c. 61.
5. Repeal of Sect. 102 of 5 & 6 Will. 4. c. 76., and new Provisions enacted in lieu thereof, as to Appointment, &c. of Clerks to Justices of Boroughs.
6. Provisions of 22 & 23 Vict. c. 56., as to Appointment of Inspectors of Weights and Measures, extended to Boroughs having a separate Commission of the Peace.
7. Not to affect 17 & 18 Vict. c. 20. ("Manchester Division Stipendiary Act, 1854.")
8. Construction of Act with 5 & 6 Will. 4. c. 76.

Mutiny.

24 Vict. c. 7.—An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. Page 15

24 Vict. c. 8.—An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore. Page 24

N.

Naval Discipline. See *Government of the Navy.*

Naval Knights of Windsor. See *Windsor Suspended Canonries.*

Naval Medical Supplemental Fund Society.

24 & 25 Vict. c. 108.—An Act to provide for the winding up the Naval Medical Supplemental Fund ociety. Page 506

Preamble recites Order in Council dated 13th August 1817, and 22 Vict. c. 28.

§ 1. Short Title.
2. The Admiralty to superintend the winding up of the Society, and may appoint Persons to carry Act into execution.
3. Present Trustees of the Society to act, but Vacancies not to be filled up.
4. Persons now employed may be dismissed. Officers, &c. may be appointed.
5. One General Fund to be formed.
6. Salaries, &c. to be paid out of the General Fund.
7. No new Contributors to the Fund allowed.
8. Annuities may be purchased out of the Fund.
9. Annuities to be purchased in the Names of the Persons entitled, and to be inalienable.
10. Annuities, until purchased, to be payable out of the General Fund, and Contributions to continue payable until all Annuities purchased.
11. When Act fully carried out, Notice to be inserted in the Gazette, and Order in Council and Act of 22 Vict. c. 28. to cease.

Navy. See *Government of the Navy. Officers of Reserve (Royal Navy).*

New Zealand.

24 & 25 Vict. c. 30.—An Act to declare the Validity of an Act passed by the General Assembly of New Zealand, intituled "An Act to provide for the Establishment of new Provinces in New Zealand." Page 91

Preamble recites 15 & 16 Vict. c. 72. and 20 & 21 Vict. c. 53.

§ 1. Power to General Assembly to constitute new Provinces.
2. Power to General Assembly to repeal Part of 3d Section of 15 & 16 Vict. c. 72.
3. Act of General Assembly 21 & 22 Vict. to be valid.
4. 15 & 16 Vict. c. 72. and 20 & 21 Vict. c. 53. to apply to new Provinces.

Nuisances. See *Smoke Nuisance (Scotland).*

O.

Oaths.

24 & 25 Vict. c. 66.—An Act to give Relief to Persons who may refuse or be unwilling, from alleged conscientious Motives, to be sworn in Criminal Proceedings.

Page 215

§ 1. Persons refusing from conscientious Motives to be sworn in Criminal Proceedings to be permitted to make a solemn Affirmation or Declaration.
2. Punishment for making false Affirmation.
3. Commencement of Act, 1st October 1861.

Offences against the Person.

24 & 25 Vict. c. 100.—An Act to consolidate and amend the Statute Law of England and Ireland relating to Offences against the Person.

Page 425

§ 1. As to Murder.
2. Sentence for Murder.
3. Body to be buried in Prison.
4. Conspiring or soliciting to commit Murder.
5. Manslaughter.
6. Indictment for Murder or Manslaughter.
7. Excusable Homicide.
8. Petit Treason.
9. Murder or Manslaughter abroad.
10. Provision for the Trial of Murder and Manslaughter where the Death or Cause of Death only happens in England or Ireland.
11. Administering Poison, or wounding with Intent to murder.
12. Destroying or damaging a Building with Gunpowder, with Intent to murder.
13. Setting fire to or casting away a Ship with Intent to murder.
14. Attempting to administer Poison, or shooting or attempting to shoot or attempting to drown, &c., with Intent to murder.
15. By any other Means attempting to commit Murder.
16. Sending Letters threatening to murder.
17. Impeding a Person endeavouring to save himself from Shipwreck.
18. Shooting or attempting to shoot, or wounding with Intent to do grievous bodily Harm.
19. What shall constitute loaded Arms.
20. Inflicting bodily Injury, with or without Weapon.
21. Attempting to choke, &c., in order to commit any indictable Offence.

§ 22. Using Chloroform, &c., to commit any indictable Offence.
23. Maliciously administering Poison, &c., so as to endanger Life or inflict grievous bodily Harm.
24. Maliciously administering Poison, &c., with Intent to injure, aggrieve, or annoy any other Person.
25. If the Jury be not satisfied that any Person charged is guilty of Felony, but guilty of Misdemeanor, they may find him guilty accordingly.
26. Not providing Apprentices or Servants with Food, &c. whereby Life endangered.
27. Exposing Children whereby Life endangered.
28. Causing bodily Injury by Gunpowder.
29. Causing Gunpowder to explode, or sending to any Person an explosive Substance, or throwing corrosive Fluid on a Person, with Intent to do grievous bodily Harm.
30. Placing Gunpowder near a Building, with Intent to do bodily Injury to any Person.
31. Setting Spring Guns, &c., with Intent to inflict grievous bodily Harm.
32. Placing Wood, &c. on a Railway, with Intent to endanger Passengers.
33. Casting Stone, &c. upon a Railway Carriage, with Intent to endanger the Safety of any Person therein.
34. Doing or omitting anything to endanger Passengers by Railway.
35. Drivers of Carriages injuring Persons by furious Driving.
36. Obstructing or assaulting a Clergyman or other Minister in the Discharge of his Duties.
37. Assaulting a Magistrate, &c. on account of his preserving Wreck.
38. Assault with Intent to commit Felony, or on Peace Officers, &c.
39. Assaults with Intent to obstruct the Sale of Grain, or its free Passage.
40. Assaults on Seamen, &c.
41. Assaults arising from Combination.
42. Persons committing any Common Assault or Battery may be imprisoned or compelled by Two Magistrates to pay Fine and Costs not exceeding *5l.*
43. Persons convicted of aggravated Assaults on Females and Boys under Fourteen Years of Age may be imprisoned or fined.
44. If the Magistrates dismiss the Complaint, they shall make out a Certificate to that Effect.
45. Certificate or Conviction shall be a Bar to any other Proceedings.
46. These Provisions not to apply to certain Cases.
47. Assault occasioning bodily Harm. Common Assault.
48. Rape.

Offences against the Person.

§ 49. Procuring the Defilement of Girl under Age.
50. Carnally knowing a Girl under 10 Years of Age.
51. Carnally knowing a Girl between the Ages of 10 and 12.
52. Attempt to commit the last Two Offences.
53. Abduction of a Woman against her Will, from Motives of Lucre. Fraudulent Abduction of a Girl under Age against the Will of her Father, &c. Offender incapable of taking any of her Property.
54. Forcible Abduction of any Woman with Intent to marry her.
55. Abduction of a Girl under 16 Years of Age.
56. Child-stealing.
57. Bigamy. Offence may be dealt with where Offender shall be apprehended. Not to extend to Second Marriages, &c. herein stated.
58. Administering Drugs or using Instruments to procure Abortion.
59. Procuring Drugs, &c. to cause Abortion.
60. Concealing the Birth of a Child.
61. Sodomy and Bestiality.
62. Attempt to commit an infamous Crime.
63. Carnal Knowledge defined.
64. Making or having Gunpowder, &c., with Intent to commit any Felony against this Act.
65. Justices may issue Warrants for searching Houses, &c. in which explosive Substances are suspected to be made for the Purpose of committing Felonies against this Act. 23 & 24 Vict. c. 139.
66. A Person loitering at Night, and suspected of any Felony against this Act, may be apprehended.
67. Punishment of Principals in the Second Degree, and Accessories.
68. Offences committed within the Jurisdiction of the Admiralty.
69. Hard Labour in Gaol or House of Correction.
70. Solitary Confinement and Whipping.
71. Fine, and Sureties for keeping the Peace; in what Cases.
72. No Certiorari, &c.
73. Guardians and Overseers may be required to prosecute in certain Cases of Offences against this Act. Costs of Prosecution. Clerk of Guardians may be bound over to prosecute.
74. On a Conviction for Assault the Court may order Payment of the Prosecutor's Costs by the Defendant.
75. Such Costs may be levied by Distress.
76. Summary Proceedings in England may be under the 11 & 12 Vict. c. 43., and in Ireland under the 14 & 15 Vict. c. 93.; except in London and the Metropolitan Police District.
77. The Costs of the Prosecution of Misdemeanors against this Act may be allowed.
78. Act not to extend to Scotland.
79. Commencement of Act, 1st November 1861.

Offences, Criminal. See *Criminal Law Consolidation.*

Offences in Territories near Sierra Leone.

24 & 25 Vict. c. 31.—An Act for the Prevention and Punishment of Offences committed by Her Majesty's Subjects within certain Territories adjacent to the Colony of Sierra Leone. Page 93

§ 1. Laws in force at Sierra Leone for Punishment of Crimes extended to British Subjects in adjacent Territories.
2. Governors may address Commissions to Persons to act as Magistrates in such Territories. Powers of such Magistrates.
3. Commissions to be in force only during Her Majesty's Pleasure.
4. Act not to extend constructively to Her Majesty's Dominions.
5. Person lawfully administering the Government of Sierra Leone to be deemed the Governor thereof.

Officers of Reserve (Royal Navy).

24 & 25 Vict. c. 129.—An Act to enable Her Majesty to accept the Services of Officers of the Merchant Service as Officers of Reserve to the Royal Navy. Page 595

§ 1. Power to Her Majesty to accept the Services of Masters, &c. of the Merchant Service.
2. Power to Admiralty to enrol Officers of Reserve to the Royal Navy.
3. Officers of Reserve or their Widows entitled to the same Pay and Pensions as Officers and the Widows of Officers of the Royal Navy.

Offices, Public. See *Public Offices.*

Offices, Qualifications for. See *Indemnity.*

Old Metals. See *Dealers in old Metals.*

Ordnance Survey Continuance.

24 & 25 Vict. c. 65.—An Act to continue the Survey of Great Britain, Berwick-upon-Tweed, and the Isle of Man. Page 215

§ 1. The Act 4 & 5 Vict. c. 30., as amended by 19 & 20 Vict. c. 61. continued until 31st December 1866.

Overseers of the Poor. See *Parochial Offices.*

P.

Paper Duty. See *Customs and Inland Revenue.*

Parishes. See *Poor.*

Parliamentary Elections. See *Appropriation of Seats. Corrupt Practices. University Elections. Voters (Ireland). Voters (Scotland).*

Parochial and Burgh Schools.

24 & 25 Vict. c. 107.—An Act to alter and amend the Law relating to Parochial and Burgh Schools, and to the Test required to be taken by Schoolmasters in Scotland. Page 497

Preamble recites 43 Geo. 3. c. 54.

§ 1. Interpretation of Terms.

2. Salaries of Schoolmasters to be not less than 35*l.* nor more than 70*l.* per Annum. Proviso where more than One Schoolmaster.

3. Salary to be fixed by the Heritors and Minister, and to be payable in Money at the Terms and under Conditions now in use.

4. Heritors may discontinue existing Side Schools.

5. Heritors may establish a Female Teacher.

6. Side School Teacher may be required to resign, on increasing Salaries, Provision being made for him during Life.

7. Salaries where not fixed at the maximum Amount may be increased.

8. Office of Schoolmaster may be declared vacant where retiring Salary has already been agreed upon between Heritors and Schoolmaster.

9. Examination by Examiners appointed by the Universities to come in the Place of the Examination by the Presbytery. Repealing Sect. 16 of 43 Geo. 3. c. 54.

10. Electors of Schoolmaster may choose more than One Candidate to be tried by Examiners.

11. Commissioners of the Treasury to pay 21*s.* to each of the Examiners in respect of each Examination, and 15*s.* to their Secretary.

12. Parochial Schoolmasters not to be required to sign Confession of Faith or Formula, but to make a Declaration and to undertake to conform to the Shorter Catechism.

§ 13. Presbytery of the Bounds may present a Complaint to Secretary of State against Schoolmaster.
14. Jurisdiction of the Presbytery in Cases of immoral Conduct or Cruelty transferred to the Sheriff.
15. Expenses incurred by the Complainers to be repaid out of the Rogue Money.
16. Repeal of Clauses of the recited Act requiring an Estimate of the Value of Grain to be made at successive Periods.
17. Schoolmaster's House to consist of Four Apartments.
18. Act not to interfere with Arrangements as to Retirement of Schoolmaster.
19. Heritors and Ministers may permit or require Schoolmaster to resign.
20. Minister and Heritors may grant annual Allowance to Schoolmaster, in addition to retiring Allowance.
21. Repeal of 20 & 21 Vict. c. 59.
22. Schoolmasters in Royal Burghs not to be required to sign Confession of Faith or Formula of Church of Scotland.
23. Not to affect Provisions relating to Parochial Schools &c.
24. Short Title.
SCHEDULE.—Division of Scotland into Four Districts in connexion with the Four Universities.

Parochial Offices.

24 & 25 Vict. c. 125.—An Act to enable Overseers in populous Parishes to provide Offices for the proper Discharge of Parochial Business. Page 581
§ 1. Power to Overseers and Vestries, with Consent of Poor Law Board, to purchase Offices for Use of Parish.
2. The Overseers may provide Depositories for Parish Documents.
3. Interpretation of Terms to be as in 4 & 5 Will. 4. c. 76.

Passengers (Australian Colonies).

24 & 25 Vict. c. 52.—An Act to empower the Governors of the several Australian Colonies to regulate the Number of Passengers to be carried in Vessels plying between Ports in those Colonies. Page 187
Preamble recites 18 & 19 Vict. c. 119.
§ 1. Power to Governors of the Australasian Colonies to proclaim Rules as to the Number of Passengers to be carried, &c. in Ships plying between the Australasian Ports.
2. While Proclamation in force, Rules of the Imperial Passengers Act on the same Subject not to apply to such Intercolonial Voyages.

§ 3. Requirements of Proclamations to be enforced in all British Possessions as if they were Part of the Imperial Passengers Act.
4. Interpretation of Terms.

Passing Tolls. See *Harbours.*

Pay. See *Army. Militia. Navy.*

Paymaster of Civil Services. See *Public Works.*

Pensions (British Forces, India).

24 & 25 Vict. c. 89.—An Act to increase the Amount payable out of the Revenues of India in respect of the Retiring Pay, Pensions, and other Expenses of that Nature, of Her Majesty's British Forces serving in India. Page 296

Preamble recites 4 Geo. 4. c. 71.
§ 1. Recited Act partly repealed.
2. Charge on Revenues of India for 1861–2.

Pensions (Police). See *Metropolitan Police.*

Personal Estate. See *Wills.*

Person, Offences against the. See *Offences against the Person.*

Petty Sessions (Ireland). See *Drunkenness (Ireland).*

Piers and Harbours. See *Harbours.*

Plymouth. See *Local Government.*

Plymouth Marine Barracks.

24 Vict. c. 13.—An Act to enable the Admiralty to acquire Property for the Enlargement of the Royal Marine Barracks in the Parish of East Stonehouse in the County of Devon. Page 44

§ 1. Interpretation of Terms.
2. Certain Clauses of 8 & 9 Vict. c. 16. incorporated.
3. Power to Admiralty to purchase Lands delineated on deposited Plan.
4. Power to Admiralty to stop up certain Ways delineated on deposited Plan.

§ 5. Power to Admiralty to stop up certain Sewers, &c.
6. Power to Admiralty to enter Lands for Survey, &c.
7. Lands purchased liable to Land Tax to continue so.
8. Lands purchased liable to Water Rates to continue so.
9. As to the Person to be rated under 14 & 15 Vict. c. cxi. (East Stonehouse Waterworks Act, 1851.)
10. Supply of Water to be continued in respect to purchased Lands.
11. Services of Notices, &c.
12. Power to Admiralty to withdraw Notice for taking of Lands, but without Prejudice to Claims of Owners.
13. Errors on Plan and in Book of Reference may be corrected by Two Justices, who shall certify the same. Certificate, &c. to be deposited.
14. Power to Admiralty to give Undertaking in lieu of Bond.
15. Power to the Admiralty to sell, &c. Lands not wanted.
16. How Purchase Money to be paid.
17. On Payment of Money Purchasers to stand seised of Lands purchased by them.
18. Admiralty may sue and be sued, and pay and recover Costs.
19. Purchase Money, &c. how to be provided.
20. Provisions of this Act may apply to any of the said Lands already purchased.
21. Nothing to lessen Powers of Admiralty.
22. Protection to Commissioners.
23. Any Two Commissioners may execute Powers.
24. Lord High Admiral to have the same Powers as Commissioners of Admiralty.
25. Powers for compulsory Purchases limited.
26. Short Title :—"The Plymouth Marine Barracks Act, 1861."

Police. See *Metropolitan Police.*

Poor :

1.—*Assessments* (*Scotland*).

24 & 25 Vict. c. 37.—An Act to simplify the Mode of raising the Assessment for the Poor in Scotland. Page 109
§ 1. So much of Sect. 34 of 8 & 9 Vict. c. 83. as to Means and Substance Mode of Assessment abolished.

2.—*Combination of Parishes* (*Scotland*) *Dissolution.*

24 Vict. c. 18.—An Act to make Provision for the Dissolution of Combinations of Parishes in Scotland as to the Management of the Poor. Page 51
Preamble recites 8 & 9 Vict. c. 83.
§ 1. Parochial Board of Combination may appoint Special Meeting for Application for Dissolution.

§ 2. Intimation of Special Meeting.
3. Special Meeting may authorize Application to Board of Supervision.
4, 5. Board of Supervision may thereupon dissolve Combination; and decide all Questions between the Parishes.
6. After Dissolution, Management of Poor to proceed as if Parishes never combined.
7. If Application refused, not to be renewed till after Lapse of Five Years.

3.—*Irremoveable Poor.*

24 & 25 Vict. c. 55.—An Act to amend the Laws regarding the Removal of the Poor and the Contribution of Parishes to the Common Fund in Unions. Page 193

§ 1. So much of Sect. 1 of 9 & 10 Vict. c. 66. as prescribes a Residence of Five Years to be altered to Three Years, &c.
2. Provision for Orphan Children under 16 Years of Age.
3. Provision for deserted Wives.
4, 5. Chargeability of Wayfarers, and of sick Persons.
6. Lunatics to be chargeable upon the Common Fund.
7. Orders in Lunacy may be obtained by or appealed against by Boards of Guardians. Proviso for pending Appeals.
8. Chargeability of Union Paupers on Common Fund made perpetual.
9. Parishes comprised in any Union formed under 4 & 5 Vict. c. 76. to contribute to Common Fund according to the annual Value of rateable Property. Proviso as to Liabilities; and for Contributions in arrear.
10. Mode of ascertaining the annual rateable Value.
11. No Order for Contribution to be deemed void by reason of Error in the Calculation.
12. Interpretation of Terms, and Consolidation of 4 & 5 Will. 4. c. 76., &c.

4.—*Removal of Irish Poor.*

24 & 25 Vict. c. 76.—An Act to amend the Law relating to the Removal of Poor Persons to Ireland. Page 254

Preamble recites 8 & 9 Vict. c. 117.
§ 1. Warrant of Removal to be signed in Petty Sessions, or by a Police Magistrate.
2. Warrant to contain Name and Age of every Person to be removed, and other Particulars.
3. Copy of the Warrant to be sent to Guardians of Place to which the Removal is to be made.

§ 4. Warrant shall order Poor Persons to be conveyed to the Place mentioned in the Warrant.
5. The Guardians of the Poor of the Union at the Port may forward the Pauper to the Place of Destination, and recover the Costs from the Board of Guardians in England.
6. Women and Children not to be removed as Deck Passengers during the Winter.
7. Sect. 6 of 8 & 9 Vict. c. 117. repealed.
8. This Act and recited Act to be construed together.

See also *Parochial Offices. Public Works. Vaccination.*

Poor Knights of Windsor. See *Windsor Suspended Canonries.*

Portpatrick Harbour (Scotland).

24 & 25 Vict. c. 106.—An Act to enable the Admiralty to close the Harbour of Portpatrick in Scotland during the Execution of certain Works in such Harbour sanctioned by Parliament. Page 496

§ 1. Power for Admiralty to close Harbour.
2. Penalty for navigating Ship, &c. in the Harbour when ordered to be closed.

Post Office Savings Banks.

24 Vict. c. 14.—An Act to grant additional Facilities for depositing small Savings at Interest, with the Security of the Government for due Repayment thereof. Page 45

§ 1. Postmaster General may direct Officers in Post Office to receive Deposits.
2. Legal Title of Depositor to Repayment.
3. Depositors entitled to Repayments not later than Ten Days after Demand made.
4. Names of Depositors, &c. not to be disclosed.
5. Money to be paid to Commissioners for the Reduction of the National Debt, and repaid to Depositors through Post Office.
6. Additional Security to Depositor.
7. Rate of Interest payable to Depositors.
8. Interest how calculated.
9. Investment of Funds received under this Act.
10. Provision for Depositors desiring to transfer their Deposits to Savings Banks. Not necessary to have Rules, &c. of Savings Banks again certified.
11. Postmaster General, with Consent of Treasury, to make Regulations for carrying this Act into execution. Copies of Regulations to be laid before Parliament.

§ 12. Accounts to be laid before Parliament.
13. Accounts to be examined by Commissioners of Audit.
14. Provisions of Savings Bank Acts applicable to this Act.
15. Expenses incurred in execution of Act how to be paid.

Preston. See *Local Government.*

Princess Alice's Annuity.

24 Vict. c. 15.—An Act to enable Her Majesty to settle an Annuity on Her Royal Highness the Princess Alice Maud Mary. Page 48

§ 1. Power to Her Majesty to grant an Annuity of 6,000*l.* to Her Royal Highness the Princess Alice Maud Mary for Life.

Prisoners. See *Queen's Prison.*

Private Lunatic Asylums. See *Lunatic Asylums (Ireland).*

Probate, Court of (Ireland).

24 & 25 Vict. c. 111.—An Act to amend "The Probates and Letters of Administration Act (Ireland) 1857." Page 530

Preamble recites 7 & 8 Vict. c. 97. and 20 & 21 Vict. c. 79.

§ 1. So much of 20 & 21 Vict. c. 79. as provides that Judge of Court of Probate shall be a Commissioner of Charitable Donations, &c. repealed, and a new Commissioner to be appointed in his Stead.

2. No Decision made by Judge to be set aside by reason of such Judge being a Commissioner of Charitable Donations, &c.

Probate Duty. See *Stamp Duties.*

Promissory Notes. See *Bills of Exchange, &c.*

Property and Income Tax. See *Inland Revenue.*

Provisional Orders. See *Local Government. Turnpike Roads, &c.*

Public Offices.

24 & 25 Vict. c. 33.—An Act to enable the Commissioners of Her Majesty's Works to acquire additional Land for the Purposes of the Public Offices Extension Act of 1859. Page 100

Preamble recites 22 Vict. c. 19.

§ 1. Recited Act to be construed as if the Lands in Schedule to this Act were comprised in that Act.

2. Plan to be deposited at the Office of the Commissioners of Her Majesty's Works.

3. Compulsory Powers to continue for Three Years.

4. Commissioners of Works to pay 2,470*l.* to Commissioners of Woods for the Property of the Crown, and such Property thereupon to vest in the Commissioners of Works for the Purposes of this Act.

5. Maximum Sum payable for making up Deficiency in Rates to be increased.

6. If Defendant shall plead the General Issue in any Action, he may give the special Matter in Evidence.

7. Short Title :—"The Supplemental Public Offices Extension Act, 1861."

SCHEDULES of Property to be taken.

24 & 25 Vict. c. 88.—An Act to vest in the Commissioners of Her Majesty's Works and Public Buildings a Portion of Saint James's Park as a Site for Public Offices. Page 296

Preamble recites 22 Vict. c. 19.

§ 1. Transfer of Premises herein named to Commissioners of Works.

2. Compensation to be made for such Transfer.

Public Works :

1.—*Public Works and Harbours.*

24 & 25 Vict. c. 80.—An Act to authorize Advances of Money out of the Consolidated Fund for carrying on Public Works and Fisheries for Employment of the Poor, and for facilitating the Construction and Improvement of Harbours; and for other Purposes. Page 260

Preamble recites 57 Geo. 3. c. 34., 57 Geo. 3. c. 124., 1 Geo. 4. c. 60., 1 & 2 Geo. 4. c. 111., 3 Geo. 4. c. 86., 4 Geo. 4. c. 63., 5 Geo. 4. c. 36., 5 Geo. 4. c. 77., 6 Geo. 4. c. 35., 7 Geo. 4. c. 30., 7 & 8 Geo. 4. c. 12., 7 & 8 Geo. 4. c. 47., 1 & 2 Will. 4. c. 24., 3 & 4 Will. 4. c. 32., 4 & 5 Will. 4. c. 72., 1 Vict. c. 51., 1 & 2 Vict. c. 88., 3 Vict. c. 10., 5 Vict. Sess. 2. c. 9., 9 & 10 Vict. c. 80., 14 & 15 Vict. c. 23., 16 & 17 Vict. c. 40., and 19 Vict. c. 17.

§ 1. Power to charge 360,000*l.* per Annum upon the Consolidated Fund by Issues not exceeding 90,000*l.* per Quarter.
2. Power to charge 350,000*l.* per Annum upon the Consolidated Fund by Issues not exceeding 87,500*l.* per Quarter for Harbours, &c.
3. Commissioners for Reduction of National Debt to be Trustees of Public Works Loan Fund, and to cause a separate Account to be continued at the Bank of England for the Purpose.
4. Bank to continue the Account already opened with the Commissioners for executing this Act.
5. Money paid into the Bank to the Account of Commissioners for executing this Act to be carried to and be made Part of the Consolidated Fund.
6. Commissioners for executing recited Acts to be Commissioners together with others for executing this Act.
7. Commissioners to sign Declaration before acting.
8. Amount of Monies to be advanced under this Act to be certified to the Commissioners for the Reduction of the National Debt.
9. Commissioners for executing recited Acts and this Act to lay annual Accounts before Parliament.
10. Commissioners for Reduction of the National Debt to furnish annual Account of the Fund for Audit.
11. Powers, &c. of recited Acts to have the same Force as if re-enacted in this Act.

2.—*Public Works (Ireland).*

24 & 25 Vict. c. 85.—An Act to authorize for a further Period the Application of Money for the Purposes of Loans for carrying on Public Works in Ireland. Page 285

Preamble recites 1 & 2 Will. 4. c. 33., 6 & 7 Will. 4. c. 108., 7 Will. 4. & 1 Vict. c. 21., 1 & 2 Vict. c. 88., 2 & 3 Vict. c. 50., 5 & 6 Vict. c. 9., 6 & 7 Vict. c. 44., 9 & 10 Vict. c. 1., 9 & 10 Vict. c. 85., 14 & 15 Vict. c. 51., 19 Vict. c. 18., and 24 & 25 Vict. c. 80.
§ 1. Appointment of Commissioners for Execution of this Act.
2. Treasury may out of 360,000*l.* per Annum granted by 24 & 25 Vict. c. 80. apply a Sum not exceeding 15,000*l.* per Quarter for Public Works in Ireland.
3. The separate Account already opened to be continued at the Bank of England.
4. When Treasury shall have sanctioned Loans, Commissioners of Public Works to certify Amount of Issue to National Debt Office. Upon Certificate being produced Payment to be made. Approval of Treasury of such Issue to appear on Certificate.

§ 5. Order to be entered by the proper Officer, countersigned by the Actuary and addressed to the Cashiers of the Bank of England, who shall pay the same.
6. Commissioners for Reduction of National Debt to furnish an annual Account for Audit.
7. Appropriation and Entry of Repayments.
8. All Sums paid into the Bank of Ireland to be carried to and made Part of the Consolidated Fund.
9. Commissioners for executing recited Acts and this Act to lay annual Accounts before Parliament.
10. Powers of recited Act as to Advances to have the same Force as if re-enacted in this Act.

24 & 25 Vict. c. 71.—An Act to provide for the Performance of Duties heretofore performed by the Paymaster of Civil Services in Ireland in relation to Advances and Repayments of Public Monies for Public Works. Page 243

Preamble recites 6 & 7 Vict. c. 44., 10 & 11 Vict. c. 32., 12 & 13 Vict. c. 60., and 16 & 17 Vict. c. 136.
§ 1. The Commissioners of the Treasury to make Regulations in respect of Public Monies advanced.
2. The Commissioners of the Treasury to make Orders for closing and balancing Accounts.
3. All Books belonging to the Office of Paymaster to be transferred as directed.
4. The Commissioners of Public Works or such Persons as the Commissioners of the Treasury may appoint, may do Acts heretofore performed by Paymaster of Civil Services.
5. Section 12 of 6 & 7 Vict. c. 44., and Section 8 of 19 & 20 Vict. c. 18., not applicable to Repayments of Loans by Rentcharge or Annuity.

Q.

Qualifications for Offices, &c. See *Indemnity.*

Queensland Government.

24 & 25 Vict. c. 44.—An Act to remove Doubts respecting the Authority of the Legislature of Queensland, and to annex certain Territories to the Colony of South Australia, and for other Purposes. Page 150

Preamble recites 5 & 6 Vict. c. 76. and 18 & 19 Vict. c. 54.
§ 1. Certain Territories detached from New South Wales and annexed to South Australia.
2. Power to annex to existing Colonies Territories now Part of New South Wales.

§ 3. All Provisions of Letters Patent of 6th June 1859 and Proceedings thereunder of Government and Legislature of Queensland declared to be valid.
4. Part of 18 & 19 Vict. c. 54. s. 7. repealed.
5. Provision for determining Boundaries.
6. Providing Mode of apportioning Public Debt in the event of any Territory being separated from any Australian Colony.

Queen's Prison, &c.

24 Vict. c. 12.—An Act for the Abolition of Contributions by Counties for the Relief of Prisoners in the Queen's Prison, and for the Benefit of Bethlehem Hospital. Page 43

Preamble recites 53 Geo. 3. c. 113. and 5 & 6 Vict. c. 22.
§ 1. Repeal of 53 Geo. 3. c. 113. and Section 8 of 5 & 6 Vict. c. 22.

R.

Racehorses, Duty on. See *Inland Revenue.*

Railway Companies Mortgage Transfer (Scotland).

24 & 25 Vict. c. 50.—An Act for facilitating the Transfer of Mortgages and Bonds granted by Railway Companies in Scotland. Page 184

Preamble recites 16 & 17 Vict. c. 59.
§ 1. Mortgages and Bonds by Railway Companies bearing a certain Stamp Duty may be transferred by Endorsement.
2. Endorsements to be exempt from Stamp Duty, and to have Effect of Assignments.
3. Interpretation of "Person."
4. Short Title.
SCHEDULE.

Rainow (Chester). See *Marriages Validity.*

Ramsgate Harbour. See *Harbours.*

Rates, Duties, and Taxes. See *Assessments. Coal and Wine Duties. County Cess. Customs. Excise. Inland Revenue. Passing Tolls. Stamp Duties.*

Reading Charities.

24 & 25 Vict. c. 23.—An Act for confirming a Scheme of the Charity Commissioners for certain Charities in the Borough of Reading. Page 70

Preamble recites 8th Report of Charity Commissioners dated 26th February 1861.

§ 1. Scheme in Schedule confirmed.

SCHEDULE; containing Scheme for the Application and Management of the following Charities:

A'Larder's Almshouses and Bernard Harrison's Almshouses; and also the several Charities of Robert Boyer, John Balle, Richard Ironside, Augustine Knapp, John Noyse, Dr. Swaddon, Richard Turnor, Rodolph Warcupp, Thomas Lane, Joseph Carter, Peter Wyboe, William Thorne, Mary Worsley, Edward Kemys, Edward Hamblin, William Brackstone, John Eyre, William Joanes, Thomas Deane, James Pocock, William Iremonger, and Mary Love:

Kendrick's Almshouses, Sir Thomas Vachell's Almshouses, and Hall's Almshouses, &c. and also Richard Johnson's Charity:

Thomas Lydell's Charity, Edward Simeon's Bread Gift, Sir John Simeon's Bread Gift, and Sir Thomas White's Charity for Loans:

John Blagrave's Charity, William Boudry's and John Richard's Charity, and Martin Annesley's Charity.

Receiver (Metropolitan Police District). See *Metropolitan Police.*

Red Sea and India Telegraph.

24 Vict. c. 4.—An Act for amending the Red Sea and India Telegraph Act, 1859 (22 & 23 Vict. c. iv.) Page 7

§ 1. Construction of Agreement of 18th November 1858 between the Treasury and the Company.

2. This Act and 22 & 23 Vict. c. iv. to be construed together.

Refreshment Houses. See *Inland Revenue.*

Register (Lord Clerk) in Scotland. See *Lord Clerk Register.*

Registration of Voters. See *Voters (Scotland).*

Relief of the Poor. See *Poor.*

Relief of Turnpike Trusts. See *Turnpike Roads, &c.*

Removal of Irish Poor.

24 & 25 Vict. c. 76.—An Act to amend the Law relating to the Removal of Poor Persons to Ireland. Page 254

§ 1. Warrant of Removal to be signed in Petty Sessions, or by a Police Magistrate.

2. Warrant to contain Name and Age of every Person to be removed, and other Particulars.

3. Copy of the Warrant to be sent to Guardians of Place to which the Removal is to be made.

4. Warrant shall order Poor Persons to be conveyed to the Place mentioned in the Warrant.

5. The Guardians of the Poor of the Union at the Port may forward the Pauper to the Place of Destination, and recover the Costs from the Board of Guardians in England.

6. Women and Children not to be removed as Deck Passengers during the Winter.

7, 8. Section 6 of 8 & 9 Vict. c. 117. repealed, and Acts to be construed together.

Repayment of Public Monies. See *Public Works.*

Repeal of Acts, &c. See *Criminal Statutes Repeal. Statute Law Revision.*

Resignation of Trustees. See *Trustees (Scotland).*

Revenue, Public (Supply, Appropriation, &c.)

1.—*Consolidated Fund.*

24 Vict. c. 2.—An Act to apply the Sum of Four Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and sixty-one. Page 2

24 Vict. c. 6.—An Act to apply the Sum of Three Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and sixty-one. Page 14

24 Vict. c. 19.—An Act to apply the Sum of Ten Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and sixty-one. Page 53

24 & 25 Vict. c. 103.—An Act to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year One thousand eight hundred and sixty-one, and to appropriate the Supplies granted in this Session of Parliament. Page 478

2.—*Revenue Departments Accounts.*

24 & 25 Vict. c. 93.—An Act to provide for the Preparation, Audit, and Presentation to Parliament of annual Accounts of the Appropriation of the Monies voted for the Revenue Departments. Page 318

Preamble recites 9 & 10 Vict. c. 92.

§ 1. Officers of Customs, Inland Revenue, and Post Office to furnish annual Accounts of Sums voted by Parliament for their several Departments.

2. Certain Sections of recited Act to be applicable to Accounts prepared under this Act.

3.—*Supply Exchequer Bills.*

24 Vict. c. 5.—An Act to amend the Law relating to Supply Exchequer Bills, and to charge the same on the Consolidated Fund. Page 8

§ 1. Mode of preparing and issuing Exchequer Bills after passing of this Act.

2. Exchequer Bills to be charged on the Consolidated Fund.

3. Rate of Interest on Exchequer Bills.

4. Exchequer Bills to be advertised for Payment annually.

5. Exchequer Bills to be current for Duties payable to Her Majesty.

6. Power to Treasury to issue Bills in lieu of Bills paid off in Money or paid in for Duties.

7. Power to Treasury to issue new Exchequer Bills to replace former Exchequer Bills to any Amount not exceeding 13,230,000*l.*

8. Interest on Exchequer Bills payable in part of Revenue to be paid.

9. When such Bills are paid in, Parties to write their Names and the Date thereon.

10. Treasury to direct Cheques, Indents, and Counterfoils.

11. Two Counterfoils to be made.

12. Exchequer Bills defaced to be exchanged for new ones.

13. Penalty for forging or counterfeiting Exchequer Bills.

14. Provision in case of Loss, &c. by Casualty or Mischance, of Exchequer Bills.

15. Fractions of a Penny for Interest not payable.

16. As to the Manufacture of Paper to be used for Exchequer Bills.

17. As to present Contracts.

§ 18. Penalty on Persons manufacturing or using Paper, Plates, or Dies intended to imitate those used for Exchequer Bills.
19. Persons unlawfully having in possession Paper to be used as Exchequer Bills guilty of a Misdemeanor.
20. Bank of England may advance 13,230,000*l.* on the Credit of Bills, notwithstanding 5 & 6 Will. & Mary, c. 20.
21. To apply only to Bills issued under this Act.

Revising Barristers.

24 & 25 Vict. c. 56.—An Act to make Provision for Salaries for the Revising Barristers for the City of Dublin. Page 195

Preamble recites 20 & 21 Vict. c. 68.
§ 1. Dublin Revising Barristers to be paid an annual Salary in lieu of Remuneration authorized by recited Act.
2. Barristers appointed to act for others during Illness to be paid out of their Salaries.
3. The Act 20 & 21 Vict. c. 68. and this Act to be as One.

Royal Marines. See *Marine Mutiny. Plymouth Marine Barracks.*

Royal Navy. See *Government of the Navy. Officers of Reserve, &c.*

S.

Saint Albans. See *Appropriation of Seats.*

Saint Briavels. See *Dean Forest, &c.*

Sale, &c. of Fireworks. See *Fireworks.*

Salmon Fisheries.

24 & 25 Vict. c. 109.—An Act to amend the Laws relating to Fisheries of Salmon in England. Page 209

§ 1. Short Title.
2. Application of Act.
3. Commencement of Act, 1st October 1861.
4. Definition of Terms.
5. Penalty on mixing poisonous Substances in Rivers.

§ 6. Power to have Question under preceding Section decided by Jury.
7. Effect of Issue.
8. Penalty on fishing with Lights, Spears, &c.
9. Penalty on using Roe as a Bait.
10. Penalty on using certain Nets.
11. Penalty on placing or fixing fixed Engines.
12. Penalty on using certain Dams for catching Salmon.
13. Penalty on Company or Person not erecting Gratings to prevent the Descent of Salmon into Artificial Streams.
14. Penalty on taking unclean Fish.
15. Penalty on taking the Young of Salmon.
16. Penalty on disturbing Fish when spawning.
17. Restrictions as to fishing in Close Time.
18. Power of Home Office to extend or vary Close Season.
19. Penalty on selling Fish during Close Time.
20. Removal of fixed Engines during Close Time.
21. Weekly Close Time.
22. A free Passage to be left through Cribs or Traps during Weekly Close Time.
23. Proprietor with Consent of Home Office may attach Fish Passes to existing Dams.
24. Notice required before Home Office gives Consent.
25. Fish Passes to be attached to future Dams.
26. Supply of Water to Fish Passes.
27. Construction of Free Gaps.
28. Enforcing Free Gaps in Fishing Weirs.
29. Construction of Boxes and Cribs in Fishing Weirs and Fishing Mill Dams.
30. Construction of Spur Walls in Fishing Weirs or Fishing Mill Dams.
31. General Superintendence of Fisheries by Home Office.
32. Annual Reports of Inspectors to be laid before Parliament.
33. Justices at Sessions to appoint Conservators of Rivers.
34. Justice may grant a Warrant to enter suspected Places.
35. Recovery of Penalties, 11 & 12 Vict. c. 43.
36. Offences on Rivers may be tried in County on either Side.
37. Offences committed on Sea Coast where to be tried.
38. Saving Clause for dredging.
39. Repeal of Acts.
SCHEDULE of Acts repealed.

Salvage. See *Admiralty, Court of.*

Savings Banks. See *Post Office Savings Banks.*

Schools. See *Industrial Schools. Parochial and Burgh Schools.*

Scotland. For Acts relating specially to Scotland, see the following Heads:

Boundaries of Burghs.
British White Herring Fishery.
Combination of Parishes.
Conjugal Rights.
Edinburgh.
Industrial Schools.
Leith Harbour, &c.
Lord Clerk Register.
Mortgages.
Mortgages and Bonds.
Parochial and Burgh Schools.
Poor.
Portpatrick Harbour.
Railway Companies.
Smoke Nuisance.
Tramways.
Trustees.
Voters.

Scottish Herring Fisheries. See *British White Herring Fishery.*

Sierra Leone. See *Offences near Sierra Leone Prevention.*

Site for Public Offices. See *Public Offices.*

Smoke Nuisance (Scotland).

24 Vict. c. 17.—An Act to amend the Act 20 & 21 Vict. c. 73. for the Abatement of the Nuisance arising from the Smoke of Furnaces in Scotland. Page 50

§ 1. Complaints for Recovery of Penalties to be brought without the Concourse of the Lord Advocate.
2. Certain Burghs to include the Area within the Parliamentary Boundaries.

Soldiers. See *Army. Militia. Volunteers.*

Solicitors. See *Attorneys and Solicitors (Ireland).*

South Australia.

24 & 25 Vict. c. 44.—An Act to remove Doubts respecting the Authority of the Legislature of Queensland, and to annex certain Territories to the Colony of South Australia, and for other Purposes. Page 150

Preamble recites 5 & 6 Vict. c. 76. and 18 & 19 Vict. c. 54.
§ 1. Certain Territories detached from New South Wales and annexed to South Australia.

Spirits - - - - *Statute.*

§ 2. Power to annex to existing Colonies Territories now Part of New South Wales.
3. All Provisions of Letters Patent of 6th June 1859 and Proceedings thereunder of Government and Legislature of Queensland declared to be valid.
4. Part of 18 & 19 Vict. c. 54. s. 7. repealed.
5. Provision for determining Boundaries.
6. Providing Mode of apportioning Public Debt in the event of any Territory being separated from any Australian Colony.

Spirits. See *Excise. Inland Revenue.*

Stamp Duties.

24 & 25 Vict. c. 92.—An Act to amend the Law for the Collection of the Stamp Duties on Probates, Administrations, Inventories, Legacies, and Successions. Page 317

§ 1. Proceedings for enforcing Payment of Succession and Legacy Duties.
2. Certain Provisions in 22 & 23 Vict. c. 21. relating to summary Proceedings in England to extend to Ireland.
3. No Return of Probate Duty to be made for voluntary Debts.

24 & 25 Vict. c. 123.—An Act to reduce and alter the Rate of Duty payable on Proceedings under the Statute 21 & 22 Vict. c. 72. s. 88; and for other Purposes. Page 575

§ 1. Duty payable on Proceedings in Landed Estate Court (Ireland).
2. If Duties, &c. hereby authorized be insufficient to pay Half the Expense of maintaining Court, Rates may be raised of any of the said Duties.
3. Indemnity to Lieutenant Colonel John Henry Keogh.
4. Recited Act and this Act to be construed as One Act.

See also *Inland Revenue.*

Statute Labour Roads. See *Turnpike Roads, &c.*

Statute Law Consolidation. See *Criminal Statutes Repeal.* Also, *Accessories and Abettors. Coinage Offences. Forgery. Larceny. Malicious Injuries to Property. Offences against the Person.*

Statute Law Revision.

24 & 25 Vict. c. 101.—An Act for promoting the Revision of the Statute Law by repealing divers Acts and Parts of Acts which have ceased to be in force. Page 443

§ 1. Acts or Parts of Acts specified in Schedule repealed.
2. Short Title.
SCHEDULE of Acts repealed.

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Taxes, Rates, and Duties. See *Assessments. Coal and Wine Duties. County Cess. Customs. Excise. Inland Revenue. Passing Tolls. Poor. Stamp Duties.*

Temple Balsall Hospital.

24 & 25 Vict. c. 24.—An Act for confirming a Scheme of the Charity Commissioners for the Hospital of Lady Katherine Leveson at Temple Balsall in the County of Warwick. Page 77

Preamble recites 8th Report of Charity Commissioners, dated 26th February 1861.

§ 1. Scheme in Schedule confirmed.
SCHEDULE, containing Scheme for the Regulation and Management of the Hospital of Lady Katherine Leveson at Temple Balsall in the County of Warwick.

Tenant and Landlord. See *Landlord and Tenant (Ireland).*

Tolls. See *Passing Tolls. Turnpike Roads and Trusts. Volunteers Tolls Exemption.*

Tramways (Ireland).

24 & 25 Vict. c. 102.—An Act to amend the Tramways (Ireland) Act, 1860, 23 & 24 Vict. c. 152. Page 475

§ 1. The Act 23 & 24 Vict. c. 152. and this Act to be read together.
2. One Approval by Grand Jury to be sufficient.
3. Applications at Spring or Summer Assizes.
4. Notices to be given for Spring Assizes.
5. Approval of Grand Jury may be traversed.
6. Inquiry by Board of Works in the first instance.
7. To be confined to Engineering Questions.
8. Existing Company may be empowered to execute Works.
9. Orders in Council valid without Confirmation by Parliament.
10. Grand Jury may give Permission for Tramway to cross a Highway.
11. Short Title.

Tramways (Scotland).

24 & 25 Vict. c. 69.—An Act to provide for the Formation of Tramways on Turnpike and Statute Labour Roads in Scotland. Page 233

§ 1. Short Title.
2. Interpretation of Terms.
3. Special Meeting of Trustees may be called to consider the Expediency of laying down Tramways.
4. Trustees may remit to their Surveyor or to an Engineer to prepare Plans of Tramways and Estimate of Expense.
5. Plans and Estimate to be laid before General or Special Meeting of Trustees.
6. Tramways may be laid down according to Plans.
7. Tramways to form Part of Roads.

§ 8. Expense of forming and maintaining Tramways, how to be defrayed.
9. Tolls for Use of Tramways.
10. Trustees may compound for Tolls on Tramways.
11. Trustees may make Regulations for Use of Tramways.
12. Tramways may be formed on Statute Labour Roads.
13. Tramways to form Part of Roads.
14. Trustees may make Regulations for Use of Tramways.
15. Tramways may be removed.
16. Tramways not to be laid down in Burghs without Consent of Magistrates and Council.
17. Tramways to be kept in constant good Order, and Trustees may acquire Right to them when proposed to be removed.

Transfer of Mortgages, &c. See *Mortgages and Bonds.*

Transfer of Stocks and Annuities.

24 & 25 Vict. c. 35.—An Act to increase the Facilities for the Transfer of Stocks and Annuities transferable at the Bank of Ireland, and to make further Provision respecting the mutual Transfer of Capital in certain Public Stocks or Funds transferable at the Banks of England and Ireland respectively, and for other Purposes. Page 106

§ 1. Provision for Increase of Facilities for the Transfer of Stocks and Annuities.
2. Provision for limiting Periods for closing the Books against mutual Transfers of Stocks, &c. in England and Ireland.
3. Extending Powers of 56 Geo. 3. c. 60. as to the Retransfer of Unclaimed Dividends and Stock.
4. Sections 11 and 12 of 5 Geo. 4. c. 53. repealed.

See also *Bank of England.*

Treasury Chest Fund.

24 & 25 Vict. c. 127.—An Act for limiting and regulating the Treasury Chest Fund. Page 583

§ 1. Available Balance of Treasury Chest Fund to be limited as herein mentioned, and Surplus to form Part of Consolidated Fund.
2. How Commissioners of Treasury are to employ the said Fund.

§ 3. Annual Abstract Account of said Fund to be made by Commissioners of Audit, and laid before Parliament by the Commissioners of the Treasury, with Returns of Special Warrants and Account of Claims outstanding.

Trinity Church (Rainow). See *Marriages Validity.*

Trustees (Scotland).

24 & 25 Vict. c. 84.—An Act to amend the Law in Scotland relative to the Resignation, Powers, and Liabilities of gratuitous Trustees. Page 285

§ 1. What Trusts hereafter constituted shall be held to include.
2. Not to affect Liabilities incurred by Trustees prior to Resignation, &c.
3. Construction of the Term "Gratuitous Trustee."

Trusts, Charitable. See *Charitable Uses.*

Trusts, Turnpike. See *Turnpike Roads and Trusts.*

Turnpike Roads and Trusts:

1.—*Acts Continuance.*

24 & 25 Vict. c. 64.—An Act to continue certain Turnpike Acts in Great Britain. Page 211

§ 1. Acts mentioned in Schedule continued until 1st Nov. 1862; and all Acts expiring before the End of next Session continued to 1st Nov. 1862, except 54 Geo. 3. c. lix., 56 Geo. 3. c. xiv., 4 Geo. 4. c. cx., 6 Geo. 4. c. cxlix., and 10 Geo. 4. c. cxiii.
2. Short Title.
SCHEDULE.

2.—*Arrangements for Relief of Trusts.*

24 & 25 Vict. c. 46.—An Act to confirm certain Provisional Orders made under the Act 14 & 15 Vict. c. 38. to facilitate Arrangements for the Relief of Turnpike Trusts, and to extend the Provisions of the said Act. Page 160

§ 1. Provisional Orders confirmed.
2. Provisions of 14 & 15 Vict. c. 38. extended to Cases herein named.
SCHEDULE of Provisional Orders referred to.

Unclaimed - - - - University.

3.—*Holyhead Road.*

24 & 25 Vict. c. 28.—An Act to relieve certain Trusts on the Holyhead Road from Debts. Page 89

§ 1. Short Title.
2. As to Liquidation of Debt on St. Alban's and Barnet Trust.
3. As to Liquidation of Debts of Highgate Archway Company.
4. Provisions as to Hockliffe and Stratford Trust.
5. Provisions as to Shiffnal District of Watling Street Road Trust.
6. Provisions as to Dunstable Road Trust.
7. Provisions as to Puddle Hill Road Trust.
8. Liquidation of Debt on Stratford and Dunchurch Road Trust.
9. Priority of Payments.
10. Penalty on default in Payment.
11. Powers of Commissioners, and Entry into possession.
12. Provisions in Acts inconsistent with this repealed.
SCHEDULE.

See also *Locomotives. Volunteers Tolls Exemption.*

U.

Unclaimed Dividends. See *Bank of England. Bank of Ireland.*

Unions. See *Poor.*

University Elections.

24 & 25 Vict. c. 53.—An Act to provide that Votes at Elections for the Universities may be recorded by means of Voting Papers. Page 188

§ 1. Electors for the Universities of Oxford, Cambridge, and Dublin to vote by means of Voting Papers.
2. Voting Papers to be read, and Votes recorded.
3. Voting Papers may be inspected by any Person now entitled to object to Votes.
4. Voting Papers to be filed.
5. Penalty for falsely signing Voting Papers.
6. Voting Papers not liable to Stamp Duty.
SCHEDULE.

University of Durham. See *Durham.*

University of Edinburgh. See *Edinburgh.*

V.

Vaccination.

24 & 25 Vict. c. 59.—An Act to facilitate Proceedings before Justices under the Acts relating to Vaccination. Page 196

Preamble recites 3 & 4 Vict. c. 29., 4 & 5 Vict. c. 32., and 16 & 17 Vict. c. 100.

§ 1. Short Title.

2. As to Institution of legal Proceedings by Guardians or Overseers, and Payment of Expenses of the same.

Validity of Marriages. See *Marriages Validity.*

Volunteers Tolls Exemption.

24 & 25 Vict. c. 126.—An Act to exempt the Volunteer Forces of Great Britain from the Payment of Tolls. Page 582

Preamble recites 3 Geo. 4. c. 126. and 4 Geo. 4. c. 49.

§ 1. Horses and Carriages, &c. of Volunteers exempted.

2. Penalty for demanding Tolls from Volunteers, &c.

3. Penalty for personating Volunteers, &c.

4. Recovery and Application of Penalties.

5. Act not to extend to Ireland.

Voters (Ireland).

24 & 25 Vict. c. 60.—An Act to amend the Act 13 & 14 Vict. c. 69., so far as relates to the Time thereby limited for the Publication of the Lists of Voters objected to in Ireland. Page 197

§ 1. The Clerk of the Peace and Town Clerk respectively shall publish Lists of Voters, &c. objected to on or before 24th August in each Year.

2. This Act incorporated with 13 & 14 Vict. c. 69.

Voters (Scotland).

24 & 25 Vict. c. 83.—An Act to amend the Law regarding the Registration of County Voters in Scotland. Page 269

Preamble recites 2 & 3 Will. 4. c. 65. and 17 & 18 Vict. c. 91.

§ 1. Short Title.

2. Interpretation of Terms.

§ 3. Provisions of first-recited Act as to forming Registers of Persons entitled to vote for Counties repealed.
4. Future Valuation Rolls of Counties or Burghs to set forth additional Particulars.
5. Form for future Valuation Rolls of Counties to be as in Schedule.
6. Sheriff Clerk to deliver annually to Assessors a Copy of the Register of Voters.
7. Assessors to be nominated specially for this Act.
8. Assessor to make up annually a List of Changes in Register, as in Schedule.
9. Persons omitted from Register may claim to be registered, as in Schedule.
10. Assessor to make up and publish List of Claims, as in Schedule.
11. Assessor to correct Lists, and deliver Copy of Register to Sheriff Clerk.
12. Names may be omitted by Desire.
13. Assessors disqualified from voting.
14. Provision for filling up ad interim Offices on the Holders of which Duties are imposed by this Act.
15. Provision as to Service of Notices.
16. Lists put up to be maintained and Provision for replacing same.
17. Penalty for injuring Lists put up.
18. Lists not invalidated by deficient Publication.
19. Errors of Officers not to affect Claims.
20. Valuation Rolls to be open to Inspection for the Purposes of this Act.
21. Objection to Persons on the Register, or claiming to be put on the Register, as in Schedule.
22. List of Objections made up by Assessor.
23. Sheriff to hold Courts for Revisal and Correction of Register.
24. Sheriff Clerk to produce Lists prepared by Assessor, and Notices of Claim and of Objection.
25. Assessor to maintain Lists, and answer Objections thereto, and Claims and Objections to be disposed of.
26. Claimants omitted in Lists may be enrolled by Sheriff.
27. Claims omitted may be objected to.
28. Sheriffs may grant Warrant to cite Parties, &c. and grant Diligence for Recovery of Writings.
29. Sheriffs may adjourn Registration Courts, but not beyond 5th October in any Year.
30. Sheriffs Clerks to enter and authenticate Register.
31. Register, signed by Sheriff Clerk, to be the Register of Voters.
32. Sheriff to cause printed Copies of Register to be entered in Books.
33. Register of Voters to be in force till revised and altered.

§ 34. Persons dissatisfied with Judgment of Sheriff may appeal on Points of Law to Lords Ordinary.
35. Dependence of Appeal not to affect Right of voting, and Decision on a depending Appeal not to affect Poll.
36. Penalty on Persons not attending Registration Courts when required.
37. Sheriff may award Costs, and Witnesses and Havers to be paid their Expenses.
38. Penalties on Assessors and others for Neglect of Duty.
39. Penalties to be applied for the Purposes of this Act.
40. Accounts to be kept of Monies received under this Act.
41. Expenses of annual Registrations, how to be defrayed, 20 & 21 Vict. c. 58.
42. Register to be conclusive Evidence of Qualification.
43. County Voters may be transferred from one Polling District to another.
44. Misnomer not to vitiate.
45. Repeal of Part of Section 26 of 2 & 3 Will. 4. c. 55., and a Declaration as in Schedule substituted for Oath, &c.
46. Commencement of Act 1st January 1862.
SCHEDULE of Forms.

Voting Papers. See *University Elections.*

W.

Waggons. See *Locomotives.*

Weights and Measures. See *Annoyance Jurors (Westminster).*

Westminster. See *Annoyance Jurors (Westminster).*

Weston-super-Mare. See *Local Government.*

Whitby Harbour. See *Harbours.*

White Herring Fishery (Scotland).

24 & 25 Vict. c. 72.—An Act to make further Provisions for the Regulation of the British White Herring Fishery in Scotland. Page 246

Preamble, recites 24 & 25 Vict. c. 92. s. 1.
§ 1. Penalty for selling, &c. Herrings during Close Time.

§ 2. Penalty for selling, &c. Herrings taken contrary to Provisions of 14 & 15 Vict. c. 26. s. 6.
3. Penalty for defacing Marks or Numbers on Boats, or Sails, &c.
4. Herrings, &c. seized to be forfeited.
5. Regulations may be made suspending Provisions of Act, to admit of Sprat Fishing within Part of Firth of Forth.
6. Declaring Import of 13th Section of recited Act as applying to certain Nets.
7. Constables acting under Orders of Sheriffs, &c. may exercise Powers of Act.
8. Powers of recited Acts extended to this Act.

Wills of Personalty by British Subjects.

24 & 25 Vict. c. 114.—An Act to amend the Law with respect to Wills of Personal Estate made by British Subjects. Page 543
§ 1. Wills made out of the Kingdom to be admitted if made according to the Law of the Place where made.
2. Wills made in the Kingdom to be admitted if made acording to local Usage.
3. Change of Domicile not to invalidate Will.
4. Nothing in this Act to invalidate Wills otherwise made.
5. Act to extend only to Wills, &c. of Persons who die after passing of this Act.

Wills and Domicile of British Subjects abroad, &c.

24 & 25 Vict. c. 121.—An Act to amend the Law in relation to the Wills and Domicile of British Subjects dying whilst resident abroad, and of Foreign Subjects dying whilst resident within Her Majesty's Dominions. Page 574
§ 1. No British Subject dying in a Foreign Country to be deemed to have acquired a Domicile unless resident there for One Year immediately preceding his or her Death, &c., and for all Purposes of Testate or Intestate Succession shall retain the Domicile possessed at the Time of going to reside in such Foreign Country.
2. No Foreign Subject dying in Great Britain or Ireland to be deemed to have acquired a Domicile unless resident therein for One Year immediately preceding his or her Death, &c.
3. Who this Act shall not apply to.
4. When Subjects of Foreign States shall die in Her Majesty's Dominions, and there shall be no Persons to administer to their Estates, the Consuls of such Foreign States may administer.

Windsor Suspended Canonries.

24 & 25 Vict. c. 116.—An Act for the Appropriation in favour of the Military Knights and the Churches of Windsor of Two of the Canonries suspended in the Chapel of Windsor, and for making certain Provisions respecting the Naval Knights of Windsor. Page 565

§ 1. Appropriation of Profits of Seventh Canonry to Military Knights.
2. Appropriation of Profits of Eighth Canonry to Incumbent of Churches.
3. Mode of ascertaining Amount of Payments to be retained.
4. Lieutenants succeeding to Rank of Retired Commander shall continue Poor Knights.

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Y.

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A LIST

OF THE

LOCAL AND PRIVATE ACTS

PASSED DURING THE

SESSION 24 & 25 VICT. (1861.)

☞ In this List the Local and Private Acts are subdivided into Classes, according to the Arrangement adopted in the Index to the Statutes compiled by Order of the Committee of the Library of the House of Lords, the Parliamentary Short Title of each Act being generally adopted. The Local Acts are denoted by Roman Numerals, and the Private Acts by Arabic Figures.

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Kilkenny Junction (new Lines, &c.)—c. ccxxxii.	1079
Kilrush and Kilkee (Diversion).—c. xxix.	726
Kinross-shire (Branch, &c.)—c. clxxvii.	979
Kinross-shire (Amalgamation).—c. ccxiv.	1034
Kirkcudbright (making).—c. ccv.	1019
Lancashire and Yorkshire (Branches to Shawforth, &c.)—c. l.	768
Lancashire and Yorkshire (Bootle Branch, &c.)—c. xxxiv.	730
Lancashire and Yorkshire (Extension to Settle).—c. xxxvii.	750
Lancashire and Yorkshire (new Line, &c.)—c. ci.	859
Leeds, Bradford, and Halifax Junction (Branch).—c. lx.	788
Leven and East of Fife (Amalgamation).—c. clviii.	943
Leven and East of Fife (Extension, &c.)—c. clix.	945
Limerick and Foynes (Capital).—c. xcix.	856
Llanelly Railway and Dock (new Lines).—c. ccxvii.	1044
Llanidloes and Newtown (Revival of Powers, &c.)—c. xc.	844
Llantrissant and Taff Vale Junction (making).—c. li.	768
London and North-western (Lease or Sale of the Railway of the Saint George's Harbour Company).—c. ccxix.	1052
London and North-western (additional Powers).—c. ccviii.	1026

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London and North-western (Chester and Holyhead Railway).—c. cxxiii.	888
London and North-western (Cheshire Lines).—c. cx.	871
London and North-western (Branches to Wigan, &c.)—c. cxxx.	907
London and North-western, Lancaster and Carlisle, and Caledonian (Citadel Station at Carlisle).—c. clxvi.	951
London and North-western (Nantwich to Market Drayton).—c. xliv.	758
London and North-western (Liverpool Lines).—c. cxxviii.	904
London and North-western and Manchester, Sheffield, and Lincolnshire (Manchester London Road Station, &c.)—c. lxvi.	796
London, Chatham, and Dover (Deviations, &c.)—c. ccxl.	1106
London, Chatham, and Dover (Lease of Margate Line).—c. ccxxxix.	1097
Londonderry and Lough Swilly (Extension to Buncrana).—c. clxi.	947
Ludlow and Clee Hill (making).—c. clxxxvii.	999
Lynn and Hunstanton (making).—c. cxcix.	1013
Lynn and Sutton Bridge (making).—c. ccxlv.	1119
Manchester and Milford (Aberystwith Branch).—c. cl.	933
Manchester London Road Station.—c. lxvi.	796
Manchester, Sheffield, and Lincolnshire (additional Works).—c. lxxxvi.	839
Margate (Lease to London, Chatham, and Dover).—c. ccxxxix.	1097
Margate (Ramsgate Extension, &c.)—c. ccxli.	1110
Marlborough (making).—c. clxvii.	964
Metropolitan (Improvements).—c. cxxxiii.	909
Metropolitan (Extension to Finsbury Circus).—c. ccxxxiii.	1080
Midland Counties and Shannon Junction (making).—c. ccxlvi.	1120
Midland (additional Powers).—c. cvi.	863
Midland (new Lines).—c. lvii.	780
Midland (Otley and Ilkley Extension).—c. cxxxix.	918
Mid-Wales (Deviation).—c. lxv.	793
Mold and Denbigh Junction (making).—c. ccxlvii.	1120
Monmouthshire Railway and Canal (new Lines, &c.)—c. ccxviii.	1050
Morayshire (Extension).—c. xxx.	727
Much Wenlock, &c. (Branches, &c.)—c. clxxxix.	1003
Nantwich and Market Drayton (making).—c. xliv.	758
North British (Peebles leasing).—c. cxiv.	878
North-eastern Extension to Otley.—c. cxli.	920
North-eastern (Grosmont and Whitby Branches).—c. cxxxv.	915
North London (Branch to the City).—c. cxcvi.	1010
North London (Widening).—c. cxxxii.	908
Oswestry and Newtown (Branches).—c. xvii.	714

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Oswestry, Ellesmere, and Whitchurch (making).—c. ccxxiii.	1061
Parsonstown and Portumna Bridge (making).—c. cxlii.	921
Peebles (leasing to the North British).—c. cxiv.	878
Penarth Harbour, Dock, and Railway (Capital, &c.)—c. cxxiv.	889
Petersfield (Deviation).—c. ccxxiv.	1062
Portadown, Dungannon, and Omagh Junction (Branch to Aughnacloy, &c.)—c. lxix.	804
Ramsey (making).—c. cxciv.	1009
Rathkeale and Newcastle Junction (making).—c. clxviii.	965
Rhymney (Capital).—c. cxliv.	923
Rumney (altering Lines and Levels, &c.)—c. ccxxvii.	1065
Salisbury and Dorset Junction (making).—c. cxc.	1004
Shrewsbury and Welchpool (Minsterley Branch).—c. xiii.	709
Sittingbourne and Sheerness (Capital).—c. cxxvii.	902
Sneyd's Branch (Construction of Bridges, Arches, &c.)—c. lxxi.	809
Somerset Central (Extension of Time, &c.)—c. ccix.	1029
Southampton and Netley (making).—c. ccxx.	1057
South-eastern (Folkestone Harbour, &c.)—c. cxci.	1004
South-eastern (Capital).—c. xii.	707
South Staffordshire (Capital).—c. cxxxvi.	916
South Wales Mineral (Extension to Briton Ferry Docks).—c. ccx.	1030
South Yorkshire (Keadby Extension).—c. clxix.	966
Stockport, Timperley, and Altrincham Junction (making).—c. clxxv.	975
Stockton and Darlington (new Branch Railway at Marske and Skelton, &c.)—c. lxiii.	792
Stockton and Darlington (Capital).—c. clvii.	940
Stratford-upon-Avon (Capital).—c. xxxi.	728
Strathspey (making).—c. xvi.	713
Stourbridge (Extension to Smethwick, &c.)—c. ccxxi.	1058
Swansea and Neath Railway (making).—c. ccxlii.	1111
Swansea Vale (new Lines).—c. clxii.	948
Trent, Ancholme, and Grimsby (making).—c. clvi.	939
Uxbridge and Rickmansworth (making).—c. lxxiii.	810
Vale of Clwyd (Capital).—c. cxcii.	1007
Victoria Station and Pimlico (Capital, &c.)—c. lxxxi.	830
Ware, Hadham, and Buntingford (Deviation).—c. cxciii.	1008
Waveney Valley (Capital).—c. clxxi.	969
West Cheshire (incorporating Company, &c.)—c. cxliii.	922
West Cornwall (Capital, &c.)—c. liv.	775
West Hartlepool Harbour and Railway (Capital, &c.)—c. ccxlix.	1122
West Hartlepool Harbour and Railway (Traffic, &c.)—c. ccxliv.	1114
West London Extension (Capital, &c.)—c. ccxxxiv.	1084
West Midland and Severn Valley (Construction of Railways from the Severn Valley, &c.)—c. ccxii.	1032
West of Fife Mineral Railway and Charleston Railway and Harbour (Amalgamation).—c. ccxxvi.	1064

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Whitehaven, Cleator, and Egremont (Extension).—c. lxii.	791
Witney (making a Road to Station at Witney).—c. xxii.	717
Wivenhoe and Brightlingsea (making).—c. cxix.	884
Worcester, Bromyard, and Leominster (making).—c. ccxiii.	1033
Workington Tidal Basin and Railway (making).—c. lxxxiii.	835
Wrexham and Minera (making).—c. xxxii.	728
Wycombe (Extensions).—c. lxxxvii.	841

Class 17.—Small Debts Courts and Courts of Conscience.

Nil.

Class 18.—Tithes.

Nil.

Class 19.—Trading and other Companies.

[*The Acts relating to Canals, Harbours, Docks, Piers, &c., Gasworks, Railways, and Waterworks, will be found under their respective Classes.*]

	Page
Bonelli's Electric Telegraph Company (Limited).—c. xcii.	848
Dublin (City of) Steam Packet Company.—c. iii.	695
East India Irrigation and Canal Company.—c. cviii.	868
Glasgow (City of) Life Assurance Company.—c. cxlv.	924
Guardian Fire and Life Assurance Company.—c. ccxxv.	1063
Hatfield Chase Warping and Improvement Company.—c. clxxxv.	987
Northern Assurance Company.—c. xl.	752
Price's Patent Candle Company (Limited).—c. xxxviii.	750
Scottish Widows Fund and Life Assurance Society.—c. lxxxv.	839
Thorne Moor Improvement Company.—c. lxxviii.	821
Universal Private Telegraph Company.—c. lxi.	789
Westminster Society for Insurance of Lives and Survivorships, &c.—c. ccxxv.	1063

Class 20.—Turnpike and other Roads.

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Berwick, Norham, and Islandshires.—c. lix.	788
Biddenden.—c. v.	697
Edenfield, Chapel, and Little Bolton.—c. i.	694
Elton and Blackburn.—c. xx.	716
Gainsburgh Bridge to East Retford.—c. vi.	697
Kingston-upon-Thames and Leatherhead.—c. xxvii.	725
Leeds and Ealand.—c. lxxxviii.	842
Manchester and Wilmslow.—c. lxxv.	816
Oldham and Ripponden.—c. xxv.	722
Tiverton.—c. xix.	715

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CLASS 21.—WATERWORKS.

Blackburn.—c. clv. - - - - - 937
Burton-upon-Trent.—c. xcv. - - - - 852
Darlington.—c. lxxvii. - - - - - 817
Dewsbury, Batley, and Heckmondwike.—c. xxxiii. - 729
Dublin Corporation.—c. clxxii. - - - 970
Fylde Waterworks.—c. cliv. - - - - 936
Grand Junction.—c. cli. - - - - 934
Isle of Wight.—c. lv. - - - - - 776
Kingstown.—c. cv. - - - - - 862
Neath.—c. xlv. - - - - - - 759
Northampton.—c. xlvii. - - - - 760
Portsmouth.—c. xxi. - - - - - 716
Ryde.—c. lviii. - - - - - - 784
South Essex.—c. cxxxvii. - - - 916
Staffordshire Potteries.—c. cxlvi. - - - 926
Stockport District.—c. ccxi. - - - - 1031
Wolverhampton New Waterworks.—c. clii. - - 934

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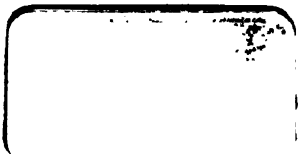
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